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Family Violence in Canada

Canada, Current National Data

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Canada owes the success of its statistical system to a long-standing cooperation involving Statistics Canada, the citizens of Canada, its businesses, governments and other institutions. Accurate and timely statistical information could not be produced without their continued cooperation and goodwill.

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Executive Summary

This report presents the results of a number of activities and projects undertaken by Statistics Canada to identify the nature and extent of violence in Canadian families. For the first time in Canada, detailed information about the prevalence and the circumstances of many forms of violence in the family are available at a national level.

Under the renewed Family Violence Initiative announced by the federal government in February 1991, Health Canada requested the assistance of the Canadian Centre for Justice Statistics (CCJS) in developing and co-ordinating a number of data collection activities. The overall objective of these activities was to address the need for improved information about family violence and services for victims and offenders.

The overall strategy for the collection and analysis of national family violence information was composed of seven activities, the results of which are included in this report. Activities included: a national household survey on violence against women, a national survey of transition homes, a survey to examine cases of child abuse reported to pediatric hospitals, an inventory of residential services for abused women, an inventory of programs for men who batter, a descriptive study of legislation and services provided by provincial child welfare systems, and a project to improve the capacity of provincial information systems to provide criminal justice statistics in this area. This report also includes statistical information about cases of family violence reported to the police, domestic homicides, as well as a descriptive "case study" of the Winnipeg Family Violence Court.

The definition of "family violence" that has guided the work of Statistics Canada and used throughout this report was developed under the Federal Family Violence Initiative and includes abuse of children, youth and older persons, and women by their male partners. Abuse can take a number of forms, including physical and sexual assault, intimidation, mental or emotional abuse, neglect, deprivation and financial exploitation. The term "family" refers to a grouping of individuals who are related by affection, kinship, dependency or trust. By using specific criteria and research tools to define and measure family violence, this report shows that violence in the family is a serious social and criminal problem in Canada.

Wife Assault

The first chapter of this report presents the prevalence of wife assault in Canada. The Violence Against Women Survey found that 29% of ever-married women have experienced either physical or sexual violence by a current or previous marital/common-law partner and according to the homicide survey, 38% of adult female victims of homicide were killed by their husbands. In cases of male homicides, only 6% of men were killed by their wives and police reports suggest that often these are cases of women acting in self-defence. Police data also suggest that women are much more likely than men to be the victim of spousal assaults. In 1992, 92% of victims in

cases of spousal assault were women, and 93% of the accused were men.

The prevalence of wife assault is greatest among young women, and among newer marital partnerships (two years or less). While rates of wife assault showed no variation by educational level, women with a household income of less than \$15,000 showed rates twice the national average.

Wife assault often remains a family secret. The sources of support upon which women relied the most were family and friends (approximately 45% each). Overall, 26% of women who disclosed abuse indicated that they had reported an incident to the police, and only one-quarter had contacted a social service for assistance. Twenty-two percent of abused women never told anyone about their experiences of violence prior to disclosing them to a Statistics Canada interviewer.

Finally, few abusive relationships have resulted in the perpetrator seeking counselling for his violent behaviour (16%). In 1993, Statistics Canada was aware of 123 programmes across Canada for men who abuse their partners.

Child Abuse

The second chapter addresses child abuse and is based on three sources of data: police reported assaults, homicide data, and data from three pediatric hospitals across the country. According to 1992 police data, 14% of all physical assaults and 65% of all sexual assaults were against children under 18 years of age. Girls were more often the victims in cases of both physical and sexual assaults. However, the relationship to the perpetrator in cases of sexual assaults differed according to the gender of the victim. While girls were much more likely to be sexually assaulted by a parent, boys were equally at risk of sexual assault by a parent, or another family member.

Parents were most often the perpetrators in cases of homicides against children (81%), and in 28% of all child homicides the accused committed suicide. Homicide data suggest that often cases of child killing were the culmination of child abuse: 50% of children were killed by beating or strangulation.

The majority of children taken to a pediatric hospital with intentional injuries were between three and ten years of age (62%). While girls were much more likely to be sexually than physically abused (75%), both boys and girls were equally likely to have been physically abused (52% and 48%, respectively). The majority of children who had sustained injuries suffered bruises and abrasions, and the head was the part of a child's body most often injured.

Abuse of Seniors

The nature and extent of senior abuse are presented in chapter three. This was perhaps the most difficult form of family violence to measure because of the difficulty in conceptualizing and defining it. A 1989 telephone survey of 2,000 seniors living in private dwellings showed that 4% of the Canadian population 65 years of age and older experienced abuse. A 1993 public opinion poll asking adults whether they knew of anyone 55 years of age and older who was a victim of abuse suggested that the rate of senior abuse is slightly higher, at approximately 10%. On March 31, 1993, only one percent of women residing in transition homes across Canada were 65 years of age or older. It is difficult to assess whether the rate of senior abuse is, in fact, lower than other types of family violence, or whether the statistics are a reflection of either the reluctance of older people to talk about abuse or the difficulty in measuring it. A very small proportion of all homicide victims between 1981 and 1992 were 65 years or older (7%). Police data indicate that the majority of senior abuse victims are female and the largest proportion of perpetrators are male (66% and 81%, respectively).

Criminal Justice Processing of Family Violence Cases

The report concludes with a chapter on the criminal justice processing of family violence cases by focusing on the innovative Family Violence Court in Winnipeg, a first of its kind in Canada. Over 4,000 cases processed through the Court revealed that the majority of cases were spousal assault in which women were the victims. Child abuse represented 18% of cases, while only 2% were cases of senior abuse. The most common charge in cases of spousal assault and elder abuse was common assault, whereas in cases of child abuse, the most frequent charge was sexual assault. The study found that the majority of accused appearing before the court had prior criminal records and that the highest rate of prior records was in cases of spousal assault (74%).

Various indicators were used to measure the success of case processing in the family violence court, including time used to process a case from first appearance to disposition, the proportion of cases that proceeded to sentence, case attrition, and sentencing patterns. The identified measure of success to process a case was three months. The study found that case processing ranged between 2.8 and 3.5 months. Prior to court specialization, 53% of the cases proceeded to sentence compared to 60% in the specialized court. The most significant change in sentencing patterns was in the number of cases resulting in a term of incarceration, an increase from 11% to 22%. It was also found that sentencing varied by type of family violence and was more severe in cases of child abuse than in cases of spousal abuse or senior abuse.

Finally, the report finds evidence of a generational cycle of family violence. The Violence Against Women Survey found that the violence was witnessed by children in 39% of violent marriages. The survey further suggests that the likelihood of a woman being victimized by her spouse increased if her partner had witnessed his father being abusive towards his own wife, and that these women suffer more severe and frequent violence than abused women whose partners did not witness violence. The extent of children exposed to their mothers' victimization was

further confirmed in both the Transition Home Survey and the study on the Winnipeg Family Violence Court. On March 31, 1993 three-quarters of those women with children resident in a shelter were seeking refuge from an abusive situation, representing over 1,600 children. During the second year of the Family Violence Court, it was reported that 1,882 children were present during violent episodes in their homes.

As was concluded in the wife assault chapter, "we all have a role to play in eradicating *family violence* and its impact on future generations". An important component of this is to improve our ability to measure the nature and extent of family violence in Canada. Governments need good reliable information on which to base policy and programming efforts. The studies addressed in this report are an important step in this process.

Introduction

Due to the secrecy that surrounds it and societal attitudes that have long condoned it, violence among individuals related through kinship, dependency or trust has long remained hidden from public view, from the police and other collectors of official statistics, and from policy-makers and legislators. The shame and embarrassment felt by many victims of wife assault and the economic and emotional dependency of many women on their abusers are powerful inhibitors to seeking help. The powerlessness of children and elderly adults abused by caregivers and others in positions of authority ensures that most of these incidents remain undetected and uncounted. The sources of statistical information, until recently, have been limited to shelters, crisis lines, the police, and other helping agencies, or small studies with specific aims and objectives and often clinical or biased samples. Consequently, a clear understanding of the nature of these events, their prevalence, and factors that contribute to the risk of victimization has been slow to evolve.

As part of the federal Family Violence Initiative which began in 1991, Statistics Canada embarked on a major program of information collection, analysis and dissemination in this area of rapidly growing prominence. This program consisted of the following seven projects: a national household survey on violence against women, a national survey of transition homes, a survey to examine cases of child abuse reported to pediatric hospitals, an inventory of residential services for abused women, an inventory of programs for men who batter, a descriptive study of legislation and services provided by provincial child welfare systems, and a project to improve the capacity of provincial information systems to provide criminal justice statistics in this area. This report synthesizes the findings of these activities, and the results of ongoing criminal justice databases maintained by the Canadian Centre for Justice Statistics, in an effort to describe the current state of "official" statistical knowledge about family violence in Canada.

The definition of "family violence" that has guided the work of Statistics Canada was developed by the federal Interdepartmental Working Group on Family Violence and includes:

intra- and extra-familial abuse of children and youth, of older persons, and abuse of women by their male partners. It can take a number of forms in addition to physical assault, such as intimidation, mental or emotional abuse, sexual abuse, neglect, deprivation and financial exploitation. The term "family" refers to a grouping of individuals who are related by affection, kinship, dependency or trust.

This report is organized around the three "target groups", namely women abused by male partners, abused children, and abused seniors.

Chapter 1

Wife Assault

Statistical information about women who suffer abuse at the hands of male partners is currently much more extensive and detailed than similar information about child or senior abuse. This may be due to a number of factors including longstanding efforts by community organizations to bring the issue of wife assault to the forefront of public awareness, and the growing availability of services for women looking to escape abusive situations. Research studies utilizing a wide range of research designs abound. The early work of researchers such as Linda MacLeod¹ who, with her path-breaking analysis of women's experiences of battering, helped to inscribe the issue on the political map. MacLeod was one of the first to attempt to quantify the problem, drawing together a number of disparate data sources and "guestimating" that one-in-ten women living with a man will be abused each year. When this figure was quoted in the Canadian parliament, it drew laughter from the mostly male MPs present. This event and MacLeod's work effected a turning point which was rapidly followed throughout the 1980's by research, legislation and community action in the area of wife assault and other forms of violence against women.

Most quantitative research undertaken to date in this area has been based on unrepresentative samples and conducted to meet very specific objectives. While such studies have provided useful information about specific populations, for example women who report to the police or use shelters or crisis centres in specific geographic areas, the findings tend not to be generalizable to all abused women. Women who use shelters, for example, are likely to differ from women who do not use shelters in important ways which makes this group unrepresentative of all abused women. Under the Family Violence Initiative, Statistics Canada developed and conducted the first national survey on violence against women that is statistically representative of all Canadian women living in the ten provinces and generalizable to the population at large. During 1993 when the findings of this survey were released, two other sample surveys, both funded by Health Canada, were also made public. One, a study of violence against women in Toronto was conducted by researchers from the Ontario Institute for Studies in Education and released with the Report of the National Panel on Violence Against Women.² The other was a study of dating violence among university and college students.³ Together, these surveys constitute not only an important contribution to our level of understanding of this issue, but also a significant step forward in the long term development of appropriate and innovative research methodologies to

¹ MacLeod, Linda. *Wife Battering in Canada: The Vicious Circle*. Ottawa: Canadian Advisory Council on the Status of Women, 1980.

² Canada. Final Report of the Canadian Panel on Violence Against Women. *Changing the Landscape: Ending Violence, Achieving Equality*. Ottawa: Ministry of Supplies and Services, 1993.

³ DeKeseredy, Walter and Katherine Kelly, "The Incidence and Prevalence of Woman Abuse in Canadian University and College Dating Relationships." *Canadian Journal of Sociology*. 18.2 (1993): 137-159.

measure an extremely sensitive subject.

Statistics Canada's Violence Against Women Survey interviewed a random sample of 12,300 women 18 years of age and over by telephone about their experiences of physical and sexual violence, experiences of sexual harassment, and their perceptions of their own personal safety. This survey was conducted using the Random Digit Dialing method of contacting households in which every household with telephone service has a chance of being selected. A respondent was selected from among all eligible women in the household. This method helps ensure that the women who responded are statistically representative of all Canadian women and that the results can be generalized to the total adult female population. Households without telephones could not participate, nor could women who did not speak English or French, or women living in the Yukon or the Northwest Territories. However, only 1% of the female population of the ten provinces live in households without telephone services, and in approximately 3% of the households contacted, there was a non-response due to language. Further, it is estimated that in 1992, women living in the Yukon and the Northwest Territories made up 0.3% of the female population.⁴

The responses of these 12,300 women have been weighted to represent the 10,498,000 women 18 years of age and over in the Canadian population. Estimates of proportions of the total female population produced from this survey are expected to be within 1.2% of the true proportion 19 times out of 20. Estimates of proportions of subpopulations will have wider confidence intervals.

With assistance from victims and survivors of violence, community groups, federal and provincial government representatives, academics, and other experts, Statistics Canada developed a unique method and approach to measure violence against women. Building on the tradition of crime victimization surveys, this survey took into account the extreme sensitivity of the subject matter. A number of measures were taken to address issues related to the potential for raising trauma on the part of the women responding, the safety of women who may be living with abusive partners, and encouraging disclosures of these very personal experiences. Carefully selected interviewers were trained to recognize and respond appropriately to cues indicating that the woman might be concerned about being overheard. Telephone numbers of local support services were offered to women who disclosed current cases of abuse or who appeared to be in distress. As well, a toll free telephone number provided respondents with an opportunity to call back and verify the legitimacy of the survey, or to continue the interview at a time and place more convenient to them.

The following documents what is known currently about violence against women in the family from the national survey on violence against women, the revised Uniform Crime Reporting Survey (criminal incidents recorded by the police), the Homicide Survey, and a national survey of transition homes. Readers should be cautious about drawing direct comparisons among these

⁴ Statistics Canada. *Annual Demographic Statistics, 1993*. Ottawa: Ministry of Industry, Science and Technology, 1994, p. 74-75; 118-119; 122-123.

different data sources, and are advised to observe the limitations and qualifications associated with each.

1.1 The Incidence of Violence Against Women in the Family

According to the Violence Against Women (VAW) Survey, one-half of all Canadian women have experienced at least one incident of physical or sexual assault since the age of 16; 29% of ever-married women have been subjected to physical or sexual assault at the hands of a marital partner (includes common-law relationships throughout this report). Rates of violence were considerably higher in past marriages than in current marriages: 48% of women with a previous marital partner reported violence by a previous spouse, while 15% of currently married women reported violence by their current spouse.

1.1.1. Definition of Violence

Measures of violence for the VAW survey were restricted to *Criminal Code* definitions of assault and sexual assault in order to capture 'violence' as it is legally understood (see Appendix 1). Violence by marital partners was measured through a series of violent acts similar to those contained in the Conflict Tactics Scale (CTS)⁵, ranging from threats of violence to threats or use of guns or other weapons, with the addition of sexual attack. (See Table 5 for a listing of the specific types of violence measured by the survey).

⁵ Murray A. Straus et Richard J. Gelles, *Physical Violence in American Families: Risk Factors and Adaptions to Violence in 8,145 Families*. New Jersey: Transaction Publishers, 1990.

1.1.2 Risk factors associated with wife assault⁶

Women living in British Columbia and Alberta had the highest lifetime rates of wife assault, and Newfoundland, Prince Edward Island, and Quebec were reported as having the lowest rates (Figure 1.1). Differences in provincial rates were much less pronounced for the 12 months prior to the survey, however. On average, 3% of women were assaulted by their partners in the 12 months prior to the survey. Very little difference was found in rates of wife assault between women living in large Canadian urban centres⁷ and women living in others areas (Table 1.1).

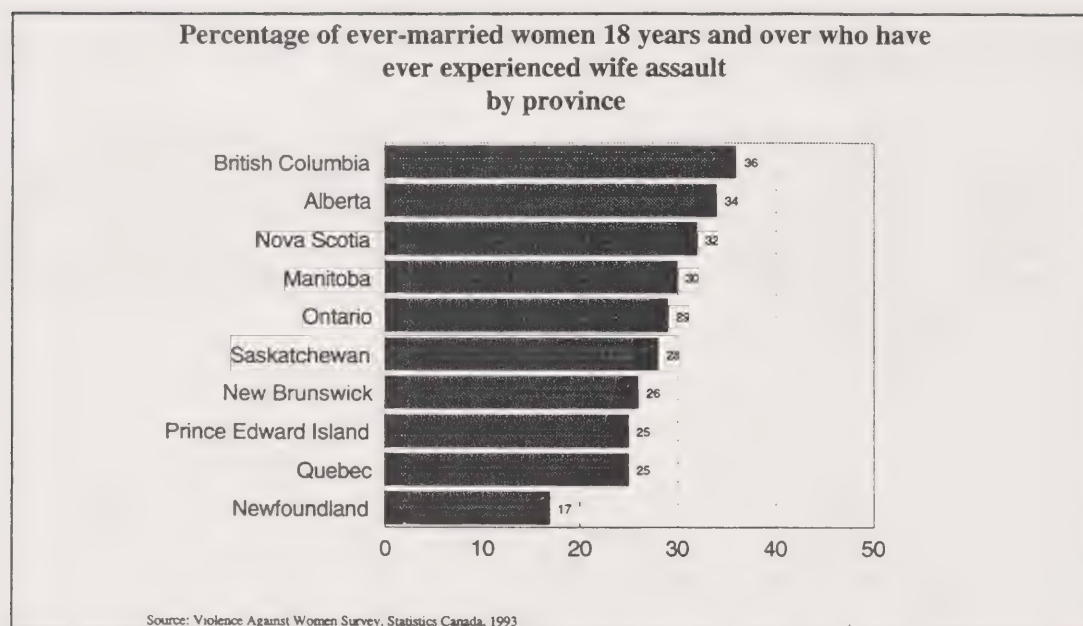


Figure 1.1

⁶ This section has been excerpted from Rodgers, K. "Wife Assault: The Findings of a National Survey", *Juristat* Vol.14, No.9, Ottawa: Canadian Centre for Justice Statistics, Statistics Canada, 1994.

⁷ Large urban centres are defined as census metropolitan areas which have core populations of 100,000 or over.

Table 1.1

Number of ever-married women who reported violence by a marital partner by area of residence, Canada

Area of residence	Total ever-married women	Violence by a marital partner	
	No. in thousands	No. in thousands	Percent
Total	9,056	2,652	29
Large urban centre	3,780	1,606	30
Small urban centre/rural area	5,276	1,046	28

Source: Violence Against Women Survey, Statistics Canada, 1993

Rates of violence for legal marriages and common-law relationships differed only slightly: 15% of currently married women and 18% of women living in a common-law relationship have experienced violence by their current partner. Newer marriages (marriages of two years or less) had the highest rates (8%) of violence in the 12 months prior to the survey, while partnerships of more than 20 years reported the lowest rates (1%). Age is the demographic characteristic most strongly correlated with wife assault: the twelve month rate of wife assault among young women 18 to 24 years of age is four times the national average, a finding that applies to violence against women outside the home as well (Table 1.2).⁸

⁸ Roberts, Julian V. "Criminal Justice Processing of Sexual Assault Cases." *Juristat* Vol.14, No.7, Ottawa: Canadian Centre for Justice Statistics, Statistics Canada, 1994.; Statistics Canada. "The Violence Against Women Survey." *The Daily*, Nov.18, 1993.

Women with a household income of \$15,000 and over reported 12-month rates of wife assault consistent with the national average, while women with household incomes under \$15,000 indicated rates twice the national average. Rates of wife assault show no variation by victims' educational level (Table 1.2).

In recent years, some research has suggested that women with disabilities are at greater risk of victimization.⁹ According to this survey, 39% of ever-married women with a disability or a disabling health problem reported physical or sexual assault by a partner over the course of their married lives, compared to 29% of the total ever-married female population.

With respect to the partners of abused women, those with the highest rates were young men 18 to 24 years of age, and rates decline with age (Table 1.3). Within education categories, men with university education had the lowest rates of violence against their female partners. Perhaps surprisingly, given popular assumptions about economic stress and wife battering, employment status did not appear to have a strong effect on rates of offending.

⁹ Ridington, Jillian. *Beating the Odds: Violence and Women with Disabilities*. Vancouver: DAWN Canada, 1989; Rivers-Moore, Bridget. "Family Violence Against Women With Disabilities." Ottawa: The National Clearinghouse on Family Violence, Health Canada, 1993; and Sobsey, Dick. "Sexual Offences and Disabled Victims: Research and Practical Implications." *Vis-a-Vis*, 6:4. Ottawa: Canadian Council on Social Development, 1988.

Table 1.2

Number of currently married women 18 years and over who have experienced wife assault in the 12 months prior to the survey by age, household income, and education, Canada, 1993

	Total currently married women	Total wife assault victims (past 12 months)	
	No. in thousands	No. in thousands	Percent
Total	6,690	201	3¹
Age group			
18-24	334	39	12
25-34	1,641	73	4
35-44	1,761	47	3
45 and over	2,953	41	1
Household income			
Less than \$15,000	367	23	6
\$15,000-\$29,999	1,018	33	3
\$30,000-\$59,999	2,623	73	3
\$60,000 or more	1,728	51	3
Not stated/Don't know	955	21	2
Education			
Less than high school diploma	1,671	55	3
High school diploma	1,913	53	3
Some post secondary education	2,020	56	3
University degree	1,076	37	3

¹ Percentages based on the total currently married female population

Figures in this table have been weighted to the Canadian adult female population.

Source: Violence Against Women Survey, Statistics Canada, 1993

Table 1.3

Number of currently married men who have committed wife assault in the 12 months prior to the survey by age, education and employment status, Canada, 1993

	Total currently married male population	Total male perpetrators of wife assault	
	No. in thousands	No. in thousands	Percent
Total	6,690	201	3¹
Age group			
18-24	175	23	13
25-34	1,420	74	5
35-44	1,733	56	3
45 and over	3,362	47	1
Education			
Less than high school diploma	1,906	75	4
High school diploma	1,659	48	3
Some post secondary education	1,618	52	3
University degree	1,259	24	2
Employment Status			
Working	5,161	170	3
Not working ²	1,460	30	2

¹ Percentages are based on the total currently married male population

² Includes both looking for work and not looking for work

Figures in this table have been weighted to the Canadian adult female population.

Source: Violence Against Women Survey, Statistics Canada, 1993

Alcohol appears to play a prominent role in men's use of violence against their partners, although it is not clear from this survey how this role should be characterized. While in one-half of all marriages with violence the perpetrator was usually drinking at the time of the assault, it is also true that in an equal number of cases the perpetrator had not been drinking. The rate of wife assault for women currently living with men who drank regularly (at least four times per week) was triple the rate of those whose partners never drank. Women were at six times the risk of violence by partners who frequently consumed five or more drinks at one time, compared to

women whose partners never drank (Figure 1.2).

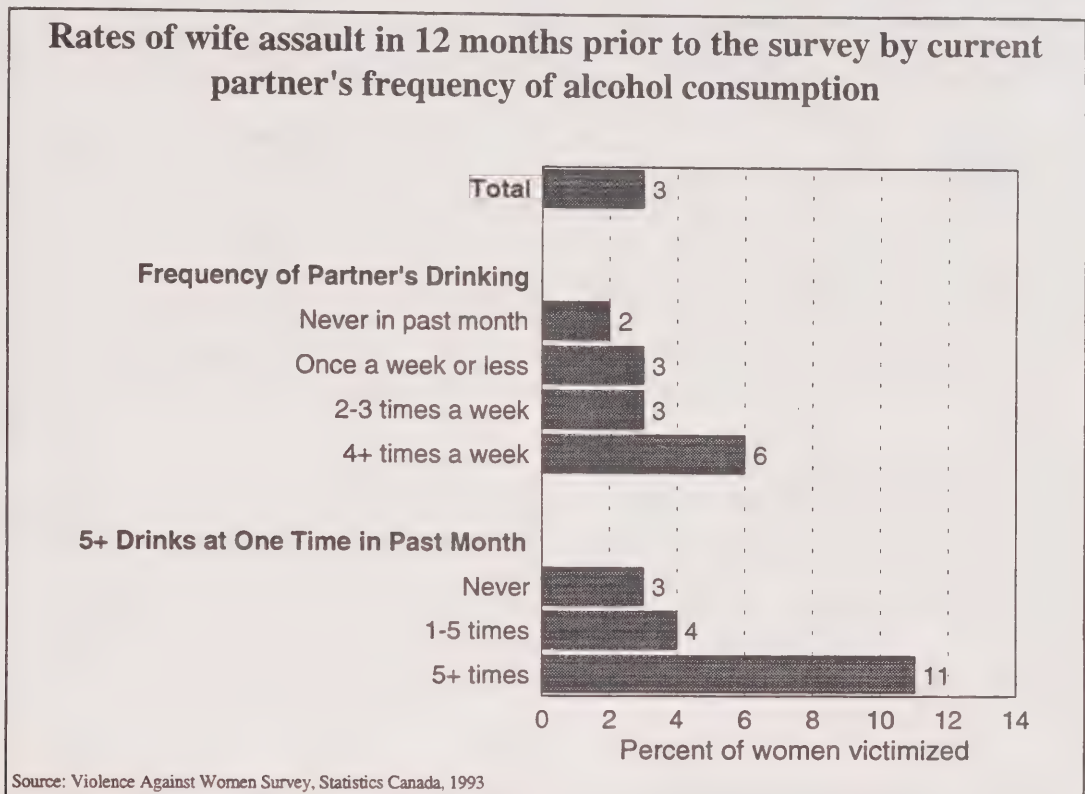


Figure 1.2

1.1.3 Emotional abuse

Research has suggested that emotional abuse can produce lasting harmful effects and that physical and emotional abuse often occur together. Approximately one-third of all women who have ever been married have suffered emotional abuse from a current or previous partner in at least one of the five ways covered by this survey (Table 1.4). The most common forms of emotional abuse were insisting on knowing who she is with and where she is at all times, and calling her names to put her down or make her feel bad. Previous partners were three times as likely to have been emotionally abusive than were current partners (59% versus 17%).

While emotional abuse did occur in the absence of physical abuse, the two occurred together in the majority of cases: three-quarters of all women who reported physical or sexual abuse also reported emotional abuse; 18% of women who reported no physical violence by a partner reported experiencing emotional abuse.

Table 1.4

Percentage of currently or previously married women reporting emotional abuse by type of abuse and marital partner, Canada, 1993

Type of emotional abuse	Marital partner					
	Any partner		Current partner		Previous partner	
	No. in thousands	Percent	No. in thousands	Percent	No. in thousands	Percent
He is jealous and doesn't want her to talk to other men	1,752	19	384	6	1,422	38
He tries to limit her contact with family or friends	1,453	16	274	4	1,213	33
He insists on knowing who she is with and where she is at all times	1,945	22	689	10	1,352	36
He calls her names to put her down or make her feel bad	1,861	21	448	7	1,470	39
He prevents her from knowing about or having access to the family income, even if she asks	932	10	140	2	808	22
Any emotional abuse	3,170	35	1,167	17	2,205	59

Figures will not add to totals because of multiple responses

Figures in this table have been weighted to the Canadian adult female population.

Source: Violence Against Women Survey, Statistics Canada, 1993.

1.1.4 The seriousness of wife assault

The seriousness of wife assault measured by this survey can be assessed through the type of violence, injury, lost productivity, weapons and frequency of occurrence.

As Table 1.5 illustrates, the most prevalent forms of wife assault were women being pushed, grabbed, and shoved, followed by threats of hitting, slapping, throwing objects, and kicking, biting, and hitting with fists. A significant number of women also reported being beaten up, sexually assaulted, choked, hit with an object, and having a gun or knife used against them. Rarely was only one type of violence reported. Although pushing, grabbing and shoving were the most frequently reported, only 5% of the respondents said "yes" to only this type of violence. Similarly, only 4% of women indicated that they were just threatened. This suggests an escalation in seriousness in many cases in that threats of violence are almost always followed by more serious acts.

In many cases of wife assault, the abuse or the threat of abuse was so great that the woman feared for her life. According to this survey, one-third of women who were assaulted by a partner feared for their lives at some point during the abusive relationship. This included 13% of women who reported violence in a *current* marriage, a percentage that represents 130,000 women who have at some point feared for their lives from the men with whom they currently live. Fully 45% of women who had previously lived with an abusive previous partner at some point feared for their lives.

Almost one-half (45%) of wife assault cases resulted in physical injury to the woman. The most frequent types of injuries reported were bruises, followed by cuts, scratches, and burns, broken bones, and fractures (Figure 1.3). Almost 10% of injured women also stated that they suffered internal injuries or miscarriages.

In many cases, the injury was severe enough to require medical attention. Approximately four-in-ten women (543,000 women) injured by a marital partner saw a doctor or a nurse for medical attention. In almost one-third of all wife assault cases, the woman had to take time off from her everyday activities because of the abuse, a rough measure of lost productivity. Of those women who were physically injured, an even greater percentage had to take time off (50%).

Table 1.5

Number and percentage of marital partnerships with violence, women 18 years and over, by type of violence, Canada

Type of violence	Marital partnerships					
	All partners		Current partner		Previous partner	
	No. in thousands	Percent	No. in thousands	Percent	No. in thousands	Percent
Total¹	2,652	29	1,020	15	1,781	48
Threatened to hit her with something	1,688	19	461	7	1,292	35
Threw something that could hurt her	1,018	11	237	4	804	21
Pushed, grabbed or shoved	2,221	25	819	12	1,500	40
Slapped	1,359	15	295	4	1,103	30
Kicked, bit or hit her with his fist	955	11	154	2	819	22
Hit her with something that could hurt her	508	6	80	1	434	12
Beat her up	794	9	94	1	716	19
Choked her	607	7	76	1	540	14
Threatened or used a gun or knife	417	5	44	1	379	10
Sexual assault	729	8	108	2	629	17

¹ Figures will not add to totals because of multiple responses.

Figures in this table have been weighted to the Canadian adult female population.

Source: Violence Against Women Survey, Statistics Canada, 1993.

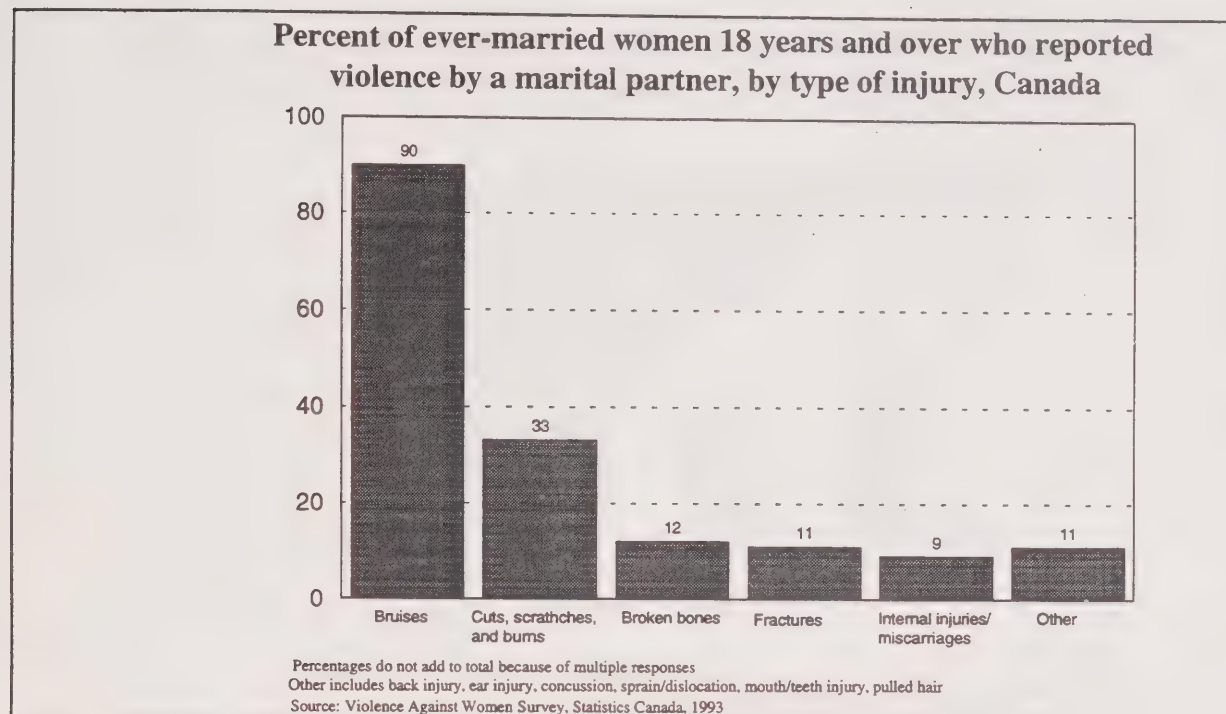


Figure 1.3

Weapons¹⁰ were used by 44% of violent spouses. This percentage includes 38% of women with a current or previous partner who had something thrown at them that could hurt them, 19% who were hit with something that could hurt them, and 16% who had a gun or knife used against them¹¹.

In the majority of cases, wife assault is not an isolated incident. In almost two-thirds of wife assault cases the violence occurred on more than one occasion. Repeated or ongoing abuse was more often reported in relationships that had ended, indicating that many women have left relationships with more frequent or serious violence. Three-quarters of women who had experienced violence by a previous partner were subjected to multiple assaults, 41% on more than ten occasions. Thirty-nine percent of women currently living with an abusive partner experienced more than one violent episode, 10% more than ten (Figure 1.4).

¹⁰ Weapons do not include fists.

¹¹ Percentages do not add to 44% because of multiple responses.

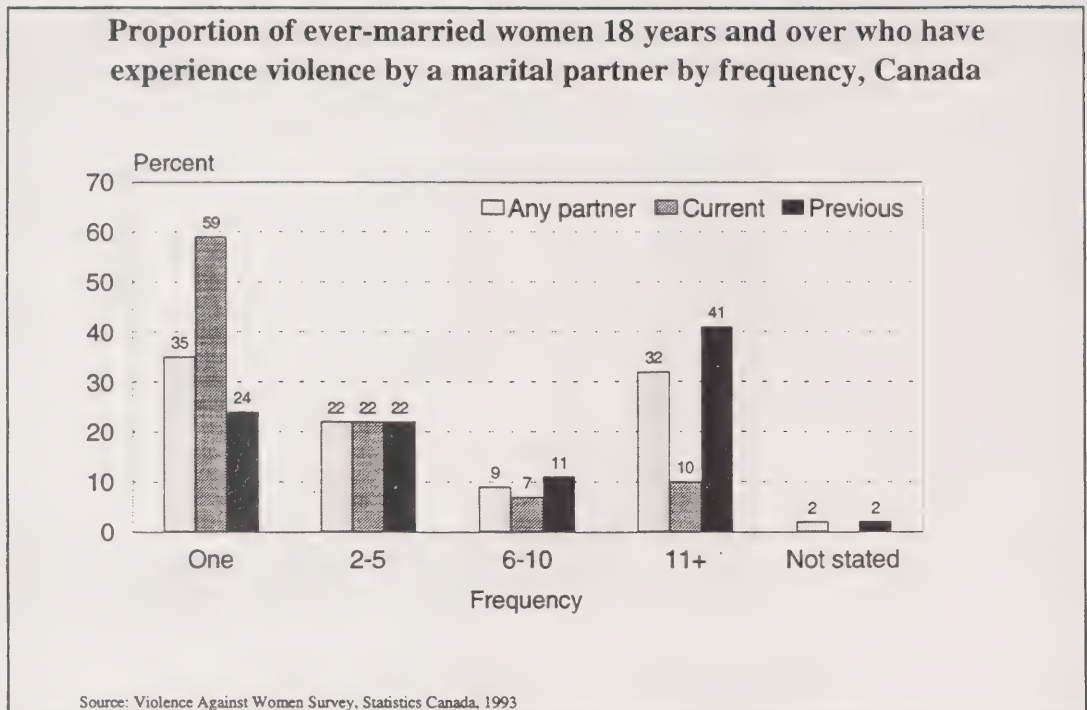


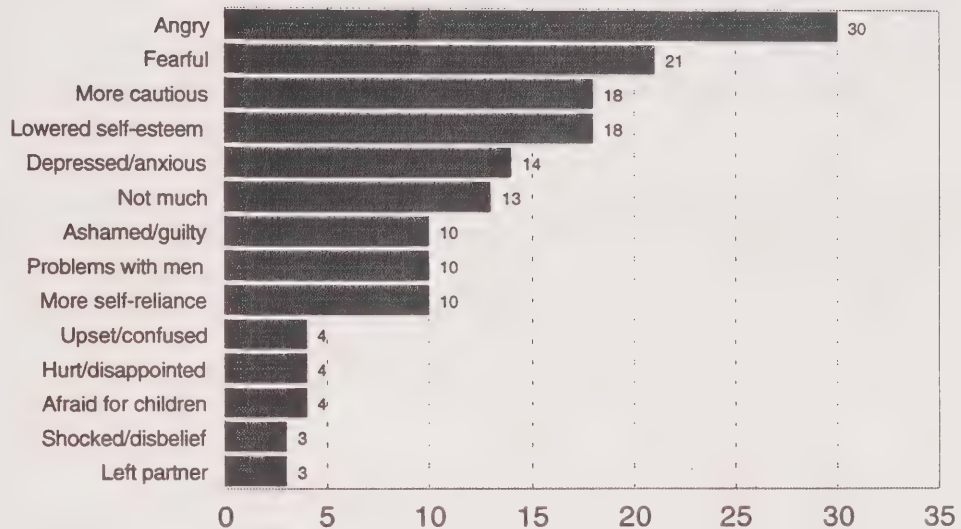
Figure 1.4

1.1.5 Psychological consequences of wife assault

The psychological effects of wife assault can be far-reaching. Eighty-five percent of women who reported wife assault indicated that they experienced some type of emotional effect. The most commonly reported consequences were anger, fear, becoming more cautious or less trusting, and lowered self-esteem (Figure 1.5). Large numbers of women also reported being depressed or anxious, feeling ashamed or guilty, and having problems relating to men.

Women may use a variety of ways to cope with their partners' abusive behaviour. Approximately one-quarter of ever-married women who have lived with violence reported using alcohol, drugs or medication to help them cope with the situation. This included 12% who used alcohol, 9% who used drugs or medication, and 5% who used both alcohol and drugs or medication (Table 1.6). Women who also endured emotional abuse more frequently reported the use of alcohol or drugs to cope (31%). In addition, women who sustained an injury were more likely to use alcohol or drugs (41%). Rates of alcohol or drug use were highest among women who reported violence by a previous partner. Alcohol use by women with a previous violent partner was almost twice the rate (15%) of women currently living with violence (8%), and women with a previous violent partner were three times (12%) more likely to have used drugs or medication than women with a current violent partner (4%). These different rates may reflect the fact that women who have left a violent relationship have suffered more frequent or ongoing abuse.

Percent of wife assault incidents experienced by women 18 and over by emotional effect, Canada



Figures may not add to 100% because of multiple responses
 Source: Violence Against Women Survey, Statistics Canada, 1993

Figure 1.5

Table 1.6

Number of abused women who used alcohol, drugs or medication to cope with the experience, Canada

Abused woman's experience	Alcohol or drugs/medication		Alcohol		Drugs/ medication		Both alcohol and drugs/medication	
	No. in thousands	Percent	No. in thousands	Percent	No. in thousands	Percent	No. in thousands	Percent
Total abused women	726	26	338	12	254	9	135	5
Emotional and physical abuse	680	31	318	15	231	11	132	6
Injured	508	41	229	18	170	14	109	9
Not injured	218	14	109	7	84	5	26	2
Abuse by current partner	142	14	79	8	44	4	--	--
Abuse by previous partner	584	34	258	15	210	12	116	7

Source: Violence Against Women Survey, Statistics Canada, 1993

-- numbers too small to be expressed

1.1.6 Time of occurrence

Sixteen percent of ever-married women who reported violence by their spouse stated that it occurred before they were married. The rates of violence before marriage were lower among legally married women (17%) than among women living in common-law unions (28%).

The violence in some marriages continues even during pregnancy: 21% of women abused by a marital partner were assaulted during pregnancy. Forty percent of these women stated that the abuse *began* during their pregnancy.

Approximately one-fifth of women who experienced violence by a previous partner reported that the violence occurred following or during separation and, in 35% of these cases, the violence increased in severity at the time of separation. However, in few cases (8%) where violence occurred after separation, did it begin during this period.

1.1.7 The cycle of violence

Research in the area of wife assault has suggested that witnessing violence against one's mother will increase the likelihood that a woman will be involved in an abusive relationship herself, and that a man will be violent toward his spouse.¹² According to a recent analysis published by the National Clearinghouse on Family Violence, children who grow up in homes where there is wife assault may begin to act out learned behaviour: "For boys this may mean perpetuating a cycle of violence in future relationships with women by imitating the behaviour of their fathers. In the event that girls become involved in relationships with violent men when they grow up, they may see few options for themselves to escape from the situation".¹³

This survey lends support to the "generational cycle of violence" theory. Women currently in violent marriages were three times as likely as women in non-violent marriages to state that their fathers-in-law were violent towards their spouses, and were twice as likely to have witnessed their own fathers abusing their mothers.

Women whose fathers-in-law were violent endured more severe and repeated types of violence than women whose fathers-in-law were not violent. Fifty-five percent of women whose partners had witnessed violence reported that their own partners were violent on more than one occasion, compared to 35% of women whose partners had not witnessed violence (Table 1.7). Women

¹² Walker, Lenore, "The Battered Woman Syndrome Study" in D. Finkelhor, R. Gelles, G. Hotaling and M. Straus (eds.) *The Dark Side of Families: Current Family Violence Research*. Beverly Hills: Sage, 1983.

¹³ Allan, Beth. "Wife Abuse - The Impact on Children." Ottawa: The National Clearinghouse on Family Violence, Health Canada, 1991.

with violent fathers-in-law were more also likely to be injured (37%), than women whose fathers-in-law were not violent (21%). With respect to type of assault, women with violent fathers-in-law were more frequently beaten, choked, or hit than were other victims of wife assault.

Table 1.7

Number of currently married women 18 years and over reporting violence by whether their fathers-in-law¹ were violent and seriousness of the violence they endured, Canada

Seriousness of the violence	Partner's father violent		Partner's father not violent	
	No. in thousands	Percent	No. in thousands	Percent
Total²	208	100	624	100
Violence occurred once	94	45	407	65
Violence occurred more than once	114	55	216	35
Woman injured	74	37	124	21
Woman not injured	131	51	484	64

¹ Excludes women whose partner did not have a father present.

² Percentages do not add to 100 because of non-response.

Source: Violence Against Women Survey, Statistics Canada, 1993

Given the strong relationship between witnessing violence as a child and later use of violence, it should be of some concern that 39% of women in violent marriages reported that their children witnessed the violence against them. It appears that children are witnessing very serious forms of violence. In 52% of violent relationships in which children witnessed the violence, women feared for their lives, and in 61%, the violence was serious enough to result in injury (Table 1.8).

Table 1.8

Number of marital partnerships with violence witnessed by children, by seriousness of the violence witnessed, Canada

Seriousness	Witnessed by children	
	No. in thousands	Percent
Total	1,094	100
Woman feared for her life	566	52
Woman did not fear for her life	528	48
Woman injured	669	61
Woman not injured	425	39

Source: Violence Against Women Survey, Statistics Canada, 1993

1.1.8 Reporting wife assault to the police

Wife assault has been considered a hidden crime because of the privacy afforded offenders in incidents occurring in the home, and because of the unwillingness in the past for the state to get involved in "family matters". In the early 1980's, mandatory charging policies were initiated across the country to increase charging by the police and prosecution by the crown in cases of wife assault. It was also hoped that such policies would encourage women to report these offences to the police. The police were informed about only 26% of wife assault cases reported in this survey (Table 1.9).¹⁴

A number of factors influenced women's decisions to report the incident to police: whether children witnessed the violence; injury to the victim; use of a weapon by the offender, and frequency of violent incidents. Women were three times as likely to report their partners to the police if their children had witnessed the violence against them. Four in ten women who indicated that they were injured at some point during the relationship had reported at least one incident to police, compared to only 12% of women who were never injured. Women were four

¹⁴ This survey does not lend itself to an analysis of changes in rates of reporting over time. Changing societal attitudes toward these types of offences and changes in legislation may have influenced victims' decisions to report to the police in recent years.

times more likely to report to the police if at some point a weapon was used against them. Cases involving repeated or ongoing abuse were also more likely to be reported to the police: 49% of women who had been abused more than ten times reported at least once to the police, compared to 6% of those who experienced only one episode (Table 1.10).

Table 1.9

Number of marital partnerships with violence, women 18 years and over, by criminal justice processing, Canada

Type of Criminal Justice Processing	Marital partnerships	
	No. in thousands	Percent
Total	2,801	100
Reported to the police	727	26
Police responded by seeing her	613	84 ¹
Perpetrator arrested/charged	205	28 ¹
Perpetrator appeared in court	162	79 ²

¹ Calculated as a percentage of cases reported to the police.

² Calculated as a percentage of cases in which a perpetrator was arrested/charged.

Figures in this table have been weighted to the Canadian adult female population.

Source: Violence Against Women Survey, Statistics Canada, 1993

One-half of women who contacted the police said that they were satisfied with the way the police handled the case. In one in five cases, the police put the women in touch with a community service. While the police responded to 84% of the cases reported to them, in only 28% of cases were charges laid. However, eight in ten cases in which charges were laid by the police resulted in the offender appearing in court. The majority of women (65%) were satisfied with the way they were treated in court.

Women who reported to the police were asked whether there was anything else the police should have done to help them. While 39% said there was nothing else, almost one-quarter stated that the police should have been more supportive, one in five felt the police should have laid charges against the perpetrators, and less than 10% stated that the police should have responded more

quickly or should have referred them to another service.¹⁵

Table 1.10

Number of marital partnerships with violence, women 18 years and over, who reported to the police by number of occurrences, Canada

Number of occurrences	Marital partnerships	
	No. in thousands	Percent
Total who reported to the police	727¹	26
One incident	52	6
2 to 3 incidents	79	21
4 to 5 incidents	53	18
6 to 8 incidents	35	24
9 to 10 incidents	34	26
More than 10 incidents	459	49

¹ Numbers may not add to total because of non-response

Figures in the table have been weighted to the Canadian adult female population

Source: Violence Against Women Survey, Statistics Canada, 1993

Research has suggested that police intervention can have a positive effect on deterring a man's violent behaviour toward his wife.¹⁶ The level of violence decreased or stopped following police intervention in 45% of cases. In 40% of cases, there was no change in the men's behaviour following police intervention and in 10% of cases the violence actually increased.

Table 1.11 illustrates that the most frequent reason women did not report to the police was because they felt that the incident was too minor (52%). Other reasons included keeping the incident private (10%), not wanting help (10%), not wanting to get involved with the legal system (9%), being fearful of retaliation by the offender (8%), and thinking the police couldn't do

¹⁵ Percentages do not add to 100% because of multiple responses.

¹⁶ London Family Court Clinic. "Wife Assault as a Crime: The Perspectives of Victims and Police Officers on a Charging Policy in London, Ontario from 1980-1990." London Family Court Clinic, April, 1991.

anything to help (7%).

Table 1.11

Number of marital partnerships with violence, women 18 years and over, who did not reported to the police by reasons for not reporting, Canada

Reasons for not reporting to the police	Marital partnerships	
	No. in thousands	Percent
Total who did not report to the police	2,056¹	100
Too minor	1,069	52
Wanted to keep incident private	216	10
Didn't want or need help	195	10
Didn't want to get involved with the police or courts	176	9
Fear of partner	175	8
Didn't think police could do anything	151	7
Shame/embarrassment	100	5
Didn't want him arrested	60	3
Other ²	94	5

¹ Figures will not add to totals because respondents could have given more than one reason.

² Includes wouldn't be believed, relationship broke up, dealt with another way, and other.

Figures in the table have been weighted to the Canadian adult female population.

Source: Violence Against Women Survey, Statistics Canada, 1993.

1.1.9 The secrecy of wife assault

According to the Violence Against Women Survey, 22% of women who experienced wife assault had told no one prior to disclosing it to an interviewer. For many women, it does not appear that the reason for not talking about their experiences was because it was not serious. In 18% of these cases, the woman was injured, a figure that represents 111,000 women. One in ten had been abused on more than ten occasions. Perhaps most disturbing was the fact that 10% of women who had never told anyone had at some point feared for their lives.

1.2 Wife Assault Cases Recorded by the Police

The Uniform Crime Reporting (UCR) Survey, maintained by the Canadian Centre for Justice Statistics, has captured information about all criminal incidents known to the police in Canada since 1961. Until recently, however, this survey has not contained information about the relationship between the victim and the suspect in violent incidents. As a result, little has been known in a systematic way about the nature of incidents that are dealt with by the criminal justice system that involve intimates or other family members. This survey has recently been enhanced to include the variables necessary to describe family violence incidents that are reported to the police.

Fifty-one police agencies, representing approximately 30% of the national volume of reported crime, responded to this revised (UCR) survey in 1992. These data are not representative of any particular geographic area in Canada, but are considered to be general indicators of the characteristics of the incident, the accused and the victim in reported crime.

Data from the Revised UCR Survey and the Violence Against Women Survey are not directly comparable. The UCR collects data from the police after an occurrence report has been filed and counts individual women more than once if they report more than one incident of wife assault to the police during the calendar year. The Violence Against Women Survey collected data from women themselves regardless of whether or not a police report had been filed. Further, the primary focus of the Violence Against Women Survey is lifetime rates of wife assault while the time frame used in this report for the revised UCR Survey is one reporting year.

The majority of all sexual and non-sexual assaults reported to the police in 1992 involved someone known to the victim: 37% of all cases of non-sexual assault and 32% of sexual assault cases occurred between family members, while 28% of assaults and 5% of sexual assaults involved spouses (Table 1.12). A small minority of sexual and non-sexual assaults were perpetrated by strangers.

The vast majority of spousal assaults were aimed at females: 92% of victims of spousal assault were female, and 93% of accused were male. Virtually all (99%) of spousal sexual assault involved female victims and male accused.

The Violence Against Women Survey suggests that the age group at highest risk of wife assault is the 18-24 group. However, the largest percentage of wife assault victims who came to the attention of the police were between 25 and 34 years old (42%). One in five were in the 35-44 age group and one in five were 18 to 24 years old. Similarly, the majority of all victims of sexual assault by spouses were between 25 and 34 years of age (39%), and one in four were 18 to 24 years of age (Table 1.13). The largest percentage of accused were also between 25 and 34, followed by those 35 to 44 years of age (Table 1.14).

Table 1.12

Number of assault and sexual assault incidents recorded by selected police departments by relationship of accused to victim, 1992

Relationship of accused to victim	Assault		Sexual assault	
	No.	Percent	No.	Percent
Total¹ victims	42,277	100	4,416	100
Spouse/ex-spouse	12,025	28	223	5
Parent	1,275	3	533	12
Child	657	2	14	1
Other immediate family	1,168	3	314	7
Extended family	474	1	313	7
Total domestic	15,599	37	1,397	32
Close friend	3,178	8	411	9
Business acquaintance	2,671	6	290	7
Casual acquaintance	9,992	24	1,534	35
Stranger	8,378	20	568	13
Total non-domestic	24,219	57	2,803	63
Unknown	2,459	6	216	5

¹ Based on incidents reported by 51 police agencies to the UCR database and which represent 30% of total reported crime in Canada.

Source: Revised Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, 1992

Table 1.13

Percentage distribution of wife assault incidents recorded by selected police departments by age of victims, 1992

Age of victims	Assault		Sexual assault	
	No.	Percent	No.	Percent
Total¹	11,019	100	223	100
18 - 24	2,475	22	58	26
25 - 34	4,620	42	87	39
35 - 44	2,414	22	50	22
45 and over	1,097	10	12	5
Unknown	413	4	16	7

¹ Based on incidents reported by 51 police agencies to the UCR database and which represent 30% of total crime in Canada.

Source: Revised Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, 1992

Table 1.14

Percentage distribution of spousal¹ assault incidents recorded by selected police departments by age of accused, 1992

Age of accused	Assault		Sexual assault	
	No.	Percent	No.	Percent
Total²	11,779	100	221	100
18 - 24	1,618	14	35	16
25 - 34	5,187	44	86	39
35 - 44	3,230	27	70	32
45 and over	1,727	15	29	13
Unknown	17	0	1	0

¹ Includes a small number of assaults by women against their partners. However, 93% of physical assaults and 220 of the 221 of sexual assaults involved male perpetrators.

² Based on incidents reported by 51 police agencies and which represent 30% of reported crime in Canada.

Source: Revised Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, 1992

1.2.1 Injuries and Weapons

Level of injury in the UCR Survey refers to the extent of the victim's apparent physical injury at the time of the incident, or as later determined through police investigation. A minor physical injury is defined as one which required no professional medical treatment or some first aid. A major injury is defined as an injury which is more than "trifling" or "transient" in nature and required professional medical attention at the scene or transportation to a medical facility. An important aspect of violent crime, that of emotional injury, is not recorded in police reports.

Sixty-one percent of wife assault victims who reported to the police experienced some form of apparent injuries resulting from the incident: 57% experienced minor injuries and 4% major injuries. Nearly 40% of spousal sexual assault victims sustained physical injury from the incident: 36% suffered minor injuries and 3% suffered major injuries.

The low incidence of weapons¹⁷ and major injuries may explain the classification of the majority (84%) of spousal incidents at level I assaults (see Appendix 1). Fifteen percent were classified

¹⁷ According to the Revised Uniform Crime Reporting Survey, the definition of a weapon includes firearms, knives, sharp and blunt instruments, explosives, fire, the use of physical force and threats.

as level II assaults (involving a weapon or bodily harm) and 1% as level III (resulting in wounding, maiming, disfiguring or endangering the life of the victim). Similarly, 85% of sexual assaults involving a marital partner were also classified by the police as level I assaults, 10% at level II and 5% at level III.

1.2.2 Charges Laid

More than eight in ten (85%) incidents of spousal sexual assaults and non-sexual assaults reported to the police in 1992 were cleared by a charge being laid against the perpetrator. This finding differs from the Violence Against Women Survey, which covers an indefinite period, and in which the police laid a charge in only 28% of cases reported to them.

The high percentage of cases currently being cleared by charge may be due to recent policy changes concerning mandatory charging in cases of wife assault. These policies were designed to encourage women to report violence by their partners and police to lay charges against abusers. It is interesting to note that in slightly more than 10% of wife assault cases no charges were laid because the complainant declined, despite the instruction to police to lay charges where there are reasonable and probable grounds to believe an offence has occurred.

1.3 Spousal Homicide¹⁸

Since 1961, Statistics Canada has maintained information on all murders known to police in Canada, and in 1974, the Homicide Survey was expanded to include all homicides (including murder, manslaughter and infanticide). For the 19 year period from 1974 to 1992 inclusive, 1,435 women and 451 men were slain by their spouses, an average of 76 women and 24 men per year, for a ratio of 3.2 women killed by their husbands for each man killed by his wife. There appears to be little variation in this sex ratio of spousal homicide victimization over time.

1.3.1 Uxoricide: the killing of women by marital partners

The 1,435 Canadian women killed by their husbands between 1974 and 1992 constituted 38% of a total of 3,811 adult female homicide victims (over 15 years of age). The probability that a registered-married woman would be killed by her spouse was nine times greater than the probability that she would be killed by a stranger.¹⁹ In contrast, the 451 men killed by their wives constituted 6% of adult male homicide victims.

¹⁸ This section has been excerpted from Wilson, M. and M. Daly, "Spousal Homicide," *Juristat*, Vol. 14 No. 8, Ottawa: Canadian Centre for Justice Statistics, Statistics Canada, 1994.

¹⁹ Wilson, M., M. Daly and C. Wright. "Uxoricide in Canada: demographic risk patterns." *Canadian Journal of Criminology* 35 (1983): 236-291.

1.3.2 Provincial variations in spousal homicide

Rates of spousal homicide have remained fairly constant over this 19 year period, with an average of 13 wives and 4 husbands per million couples in the population killed each year (Figure 1.6). Rates vary across Canada, with the lowest rates in Newfoundland and Prince Edward Island and the highest rates in the western provinces and the territories (Table 1.15). This is similar to the pattern shown for total homicide victimization rates.²⁰

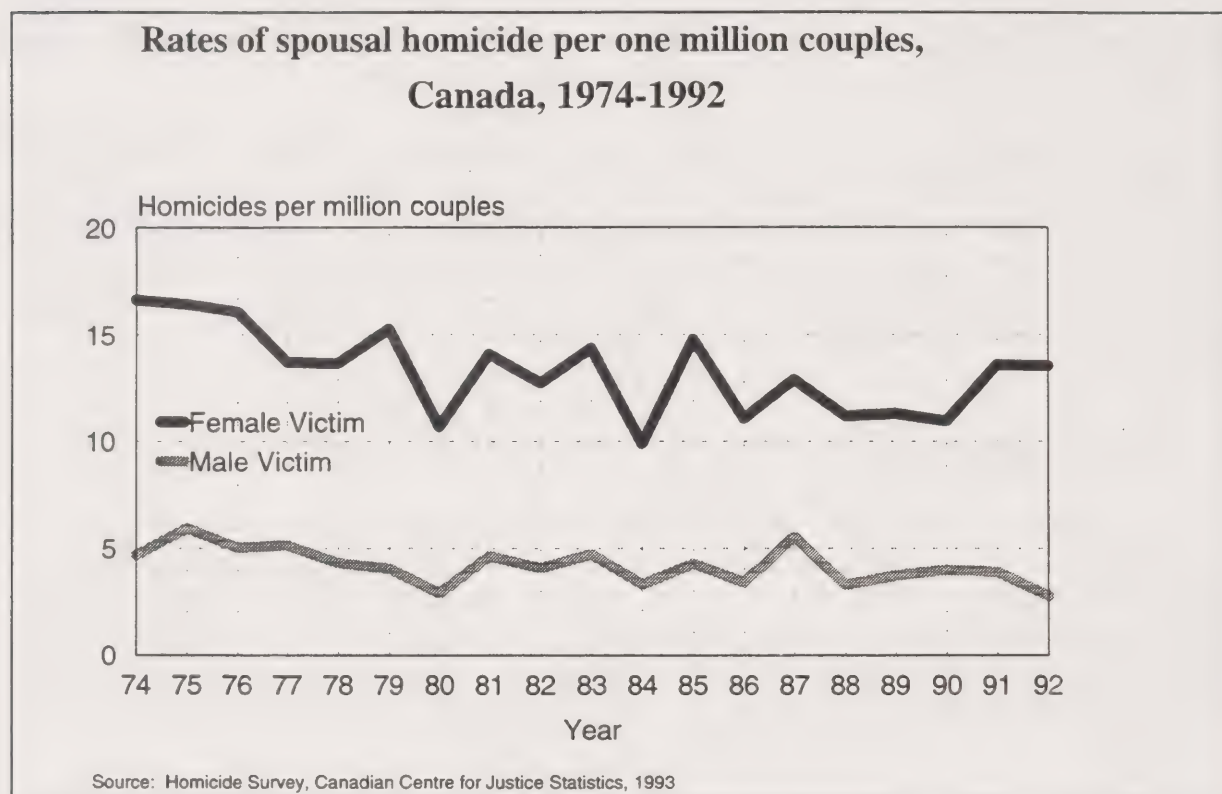


Figure 1.6

²⁰ Wright, C. "Homicide in Canada." *Juristat* Vol.12, No.8. Ottawa: The Canadian Centre for Justice Statistics, Statistics Canada, 1992.

Table 1.15**Number of spousal homicides and rates of homicide per million couples, by province, 1974-1992**

Canada and Provinces	Number of spousal homicides		Spousal homicide rate		
	Women	Men	Women	Men	Total
Canada	1,435	451	13.2	4.1	17.3
Newfoundland	11	6	4.7	2.6	7.3
Prince Edward Island	2	0	3.9	--	3.9
Nova Scotia	39	17	10.6	4.6	15.2
New Brunswick	39	6	13.0	2.0	15.0
Quebec	319	50	11.3	1.8	13.1
Ontario	484	148	12.1	3.7	15.8
Manitoba	98	33	21.8	7.3	29.1
Saskatchewan	66	39	15.7	9.3	25.0
Alberta	160	65	16.7	6.8	23.5
British Columbia	196	75	15.6	6.0	21.6
Yukon	4	2	41.7	20.8	62.5
Northwest Territories	17	10	101.2	59.6	160.8

Source: Homicide Survey, Canadian Centre for Justice Statistics, 1993

-- numbers too small to be expressed

1.3.3 The use of firearms

Firearms constituted the most frequent means of spousal homicide, but accounted for less than one-half of all cases (Table 1.16). Men were more likely to use firearms, whereas a higher percentage of women stabbed their husbands. Beatings and stranglings, in which strength differentials are perhaps especially salient, were much more often the means of killing by men than by women.

Table 1.16

Cause of death by gender of victim in spousal homicides, Canada, 1974-1992

Cause of death	Gender of victim					
	Total		Female		Male	
	No.	Percent	No.	Percent	No.	Percent
Total	1,877	100	1,426	100	451	100
Shooting	721	38	599	42	122	27
Stabbing	559	30	300	21	259	57
Beating	338	18	304	21	34	8
Strangling	175	9	163	11	12	3
Other ¹	84	4	60	4	24	5

¹ Includes smoke inhalation, burning, poisoning, causing a heart attack, exposure, etc.

Source: Homicide Survey, Canadian Centre for Justice Statistics, 1993

1.3.4 Self-defence

Evidence from various sources, including police files, psychiatric reports, case law, and interview studies from several countries, suggests that a large majority of wife killings are precipitated by the husband accusing the wife of sexual infidelity, by her unilateral decision to terminate the relationship, and/or by his desire to control her.²¹ In cases of women killing their husbands, there is often evidence that the husband was the initial aggressor and that her lethal action was

²¹ Campbell, J.C. "If I can't have you, no one can: issues of power and control in homicide of female partners" in J. Radford and D.E.H. Russell (eds.) *Femicide*. New York: Twayne, 1992; Chimbos, P.D. *Marital violence: a study of interspouse homicide*. San Francisco: R&E Research Associates, 1978; Crawford, M. and R. Gartner. *Woman killing: intimate femicide in Ontario 1974-1990*. Toronto: Women We Honour Action Committee, 1992; Daly, M. and M. Wilson. *Homicide*. Hawthorne NY: Aldine de Gruyter, 1988; and Polk, K. and D. Ranson. "The role of gender in intimate violence." *Australia and New Zealand Journal of Criminology* 24 (1991): 15-24.

"defensive"²², regardless of whether the circumstances and prior history of victim and killer match the legal self-defence criteria. In 1991-1992, the first years for which this information was available, police made the attribution that the victim was "the first to use or threaten to use physical force or violence in the incident" in 52% of the 23 husband-victim cases for which information was recorded, but in only 6% of the 113 wife-victim homicides²³. Police were aware of a history of violence in the family in 54% of spousal homicides in 1991-1992: 68% of the husband-victim cases and 51% of the wife-victim cases.²⁴

1.3.5 Separation associated with increased risk

Twenty-three percent of women killed by their registered-marriage husbands between 1974 and 1992 were separated at the time of the incident, while an additional 3% were divorced. By contrast, 10% of men killed by their wives were separated and an additional 1% were divorced. Figure 1.7 presents estimates of homicide rates incurred by co-residing and separated persons at the hands of their registered married spouses. Rates among separated women were six times higher than for co-residing women; rates among separated men were three times higher.

Research suggests that women are at risk particularly within the first two months after separation.²⁵ Figure 1.7 may underestimate the magnitude of the risk incurred in the immediate aftermath of separation since these figures aggregate all separated couples regardless of the duration of the separation.

The fact that uxoricide often occurs shortly after separation does not necessarily mean that the link between the two is directly causal. If women leave assaultive husbands when the frequency and severity of assaults become intolerable, then the immediate post-separation period might be a time of elevated risk to wives regardless of whether men respond violently to separation *per se*. Moreover, the fact that separated couples constitute a subset of marriages with a history of discord, as illustrated by the Violence Against Women Survey, could explain their higher homicide rates. Cases in which police were aware of a history of domestic violence have been

²² Bacon, W. and R. Lansdowne. "Women who kill husbands: the battered wife on trial" in C. O'Donnell and J. Craney (eds.) *Family Violence in Australia*. Melbourne: Longman Cheshire, 1982; Bowker, L.H. *Beating Wife Beating*. Lexington MA: Lexington Books, 1983; Campbell, J.C. "If I can't have you, no one can: issues of power and control in homicide of female partners" in J. Radford and D.E.H. Russell (eds.) *Femicide*. New York: Twayne, 1992; Brown, A. *When Battered Women Kill*. New York: Free Press, 1987; and Dobash, R.P. et al. "The myth of sexual symmetry in marital violence." *Social Problems* 39 (1992): 410-421.

²³ Information was not available for 38% of the cases.

²⁴ Includes only those cases in which the police had attended to an incident of violence or knew from their files that there was a history of violence in that family.

²⁵ Wallace, A. *Homicide: the social reality*. Sydney: New South Wales Bureau of Crime and Statistics Research, 1986; *Op.cit.* note 13.

recorded since 1991. Domestic violence was affirmed for 80% of cases involving separated couples, compared with 35% involving co-residing couples. The Violence Against Women Survey cites a rate of wife assault of 48% for previous partners, of whom 20% said the violence occurred during separation and in 35% of these cases, the violence increased in severity at the time of separation.



Figure 1.7

1.3.6 Alcohol and drugs

In 1991-1992, 29% of slain wives and 72% of slain husbands were noted by police to have consumed alcohol prior to the homicide (Table 1.17). Use of other drugs was noted for 8% of women and 12% of men, most of whom had also consumed alcohol. Among perpetrators, 42% of men and 72% of women were noted to have used alcohol, and 14% of men and 11% of women to have used other drugs. Alcohol had been consumed by both parties in 29% of wife-victim cases and in 65% of husband-victim cases.

The influence of alcohol on the severity of violence is further underscored by the Violence Against Women Survey which reveals that the consequences of wife assault are generally more serious when drinking is involved. Over one-half (56%) of violent men who were drinking at the time of the incident physically injured their spouses, and of these, 47% inflicted injuries

requiring medical attention. By comparison, one-third of violent men who were not drinking injured their spouses, and of these, 37% inflicted injuries requiring medical attention. Given the increased severity of violence experienced by women at the hands of drinking partners, it is not surprising that women were more likely to view the potential violence with trepidation. Forty-one percent of partners who were usually drinking at the time of the incident caused their spouses to perceive the violence as life-threatening, while this was true for 27% who were not typically drinking when violent.²⁶

Table 1.17

Use of alcohol and drugs in cases of spousal homicide by gender of victims and suspects, 1991-1992

Alcohol or drugs	Total		Female		Male	
	No.	Percent	No.	Percent	No.	Percent
Total victims	218	100	175	100	43	100
Alcohol only	68	31	40	23	28	65
Drugs only	5	2	3	2	2	5
Both alcohol and drugs	13	6	10	6	3	7
Neither alcohol or drugs	88	40	83	47	5	12
Unknown	44	20	39	22	5	12
Total suspects	218	100	43	100	175	100
Alcohol	84	39	27	63	57	33
Drugs	9	4	1	2	8	5
Both alcohol and drugs	20	9	4	9	16	9
Neither alcohol or drugs	59	27	7	16	52	30
Unknown	46	21	4	9	42	24

Source: Homicide Survey, Canadian Centre for Justice Statistics, 1993

²⁶ Wolff, L. and B. Reingold, "Drug Use and Crime," *Juristat* Vol. 14, No. 6, Ottawa: Canadian Centre for Justice Statistics, Statistics Canada, 1994.

It is unclear what, if anything, these findings imply about the possible role of intoxicants in spousal homicide. The police are not provided with specific criteria for recording "alcohol consumption" on the homicide survey form, and it is not known whether the percentages of non-homicidal married persons who had consumed intoxicants on any given night would have been very different. It is worth noting that two-thirds of both men and women who killed someone other than a spouse had also used alcohol.

1.3.7 Demographic risk patterns of spousal homicide

Women and men living in common-law relationships had a disproportionately high risk of being killed by a marital partner (Figure 1.8). While 7% of women in the Canadian population are currently living in a common-law relationship, 32% of women killed by a spouse were killed by common-law partners. Men were even more likely to be killed by a common-law partner (53%). Information provided by police indicates that at least an additional 68 women and 12 men were killed by former common-law spouses, cases which are not included in the present analyses, and a further 83 women and 13 men were killed by "estranged lovers" of the opposite sex.

The uxoricide rate was almost eight times higher in common-law unions than in registered unions, and the rate of slain husbands was 15 times higher. Registered and common-law marital unions differ in many respects, so the higher risk of homicide associated with common-law unions may be attributable to any of a number of correlated factors. Common-law marriages are generally more prevalent among poor people and young people²⁷, and poverty and young adulthood are both associated with higher homicide rates.²⁸ Information on the employment status of victims and perpetrators for the 1991 and 1992 cases reveals that neither party was working in 29% of the registered-marriage homicides and 57% of the common-law cases.

Figure 1.9 presents homicide rates according to the age of the victim: the greatest risks befell the youngest wives, and risk to both women and men declines with age. Figure 1.10 shows that the rate at which women commit homicide against their husbands also declines as a function of age. This is not true for husbands, however, whose age-related rates of perpetrating homicide are highest in the 35-49 age range. This contrasts with the age pattern for perpetration of non-spousal homicide, which peaks at a much younger age.²⁹

²⁷ Balakrishnan. *Recent Trends in Co-habiting in Canada and its Demographic Implications* (Unpublished), Department of Sociology, University of Western Ontario, 1989; Norland. *Common Law Unions in Canada, 1981: Selected socio-economic characteristics*. Demography Division, Statistics Canada, 1984; Norland. *Selected Characteristics of Co-habiting Persons in Canada, 1981*. Demography Division, Statistics Canada, 1985; and Turcotte, P. "Common-law unions." *Canadian Social Trends* 10 (autumn 1988): 35-39.

²⁸ Daly, M. and M. Wilson. "Killing the Competition" *Human Nature* (1990): 81-107.

²⁹ *Ibid.*

It might be hypothesized that the risk incurred by teen-aged wives is linked to the youth of their husbands, were it not for the distinct age pattern of killing by men (Figure 1.10). Figure 1.11 presents spousal homicide rates as a function of the age difference between the partners. Increasing age disparity in either direction proves to be associated with substantially elevated risk to both parties.

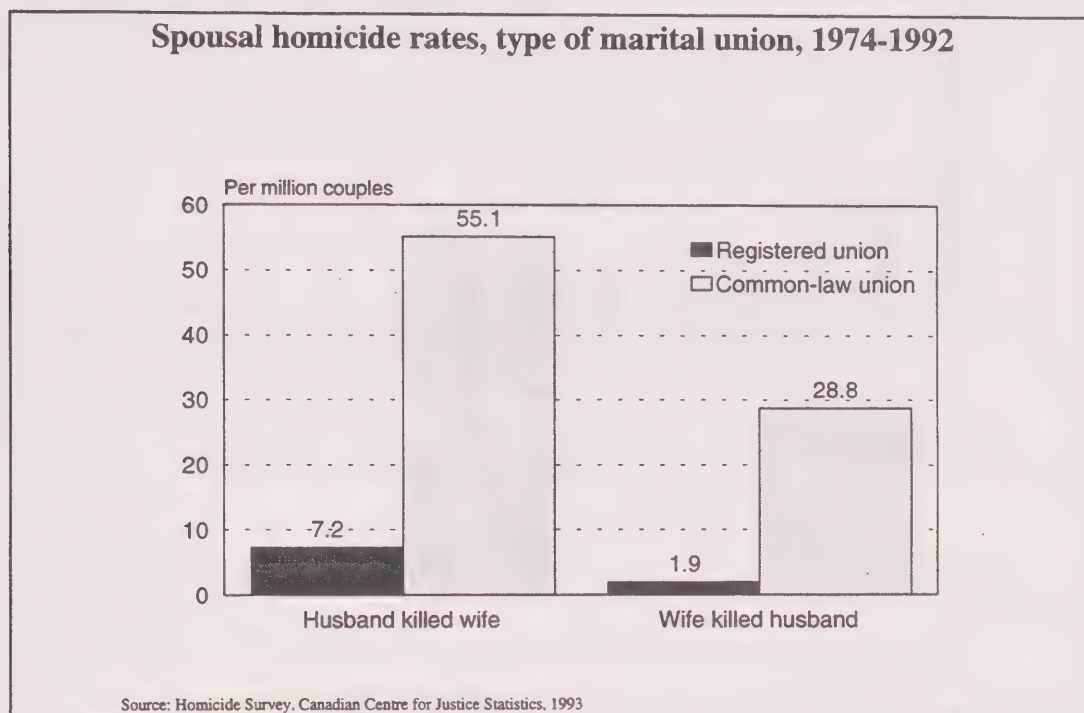
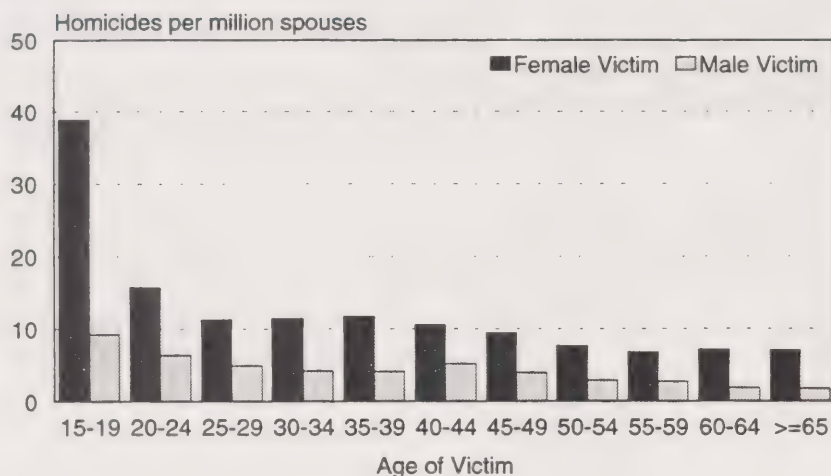


Figure 1.8

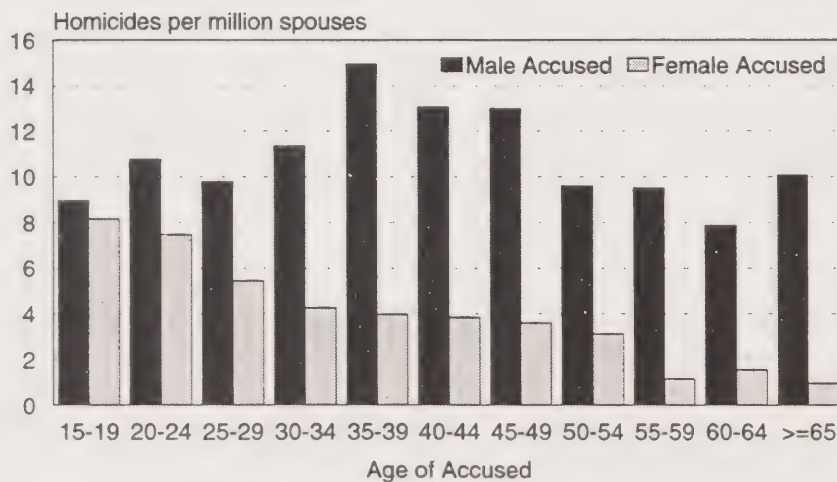
Rates of spousal homicide by age and sex of victims, co-residing couples, Canada 1974 to 1992



Source: Homicide Survey, Canadian Centre for Justice Statistics, 1993

Figure 1.9

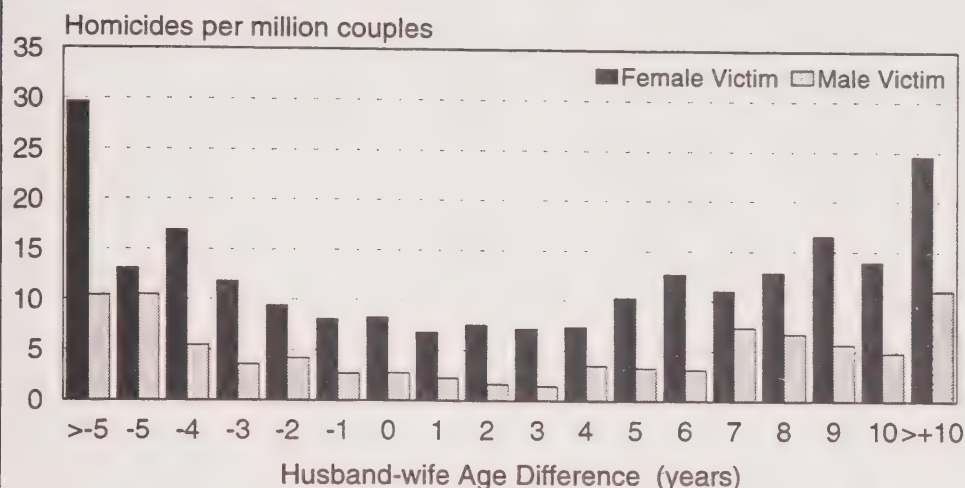
Rates of spousal homicide by age and sex of accused, co-residing couples, Canada, 1974 to 1992



Source: Homicide Survey, Canadian Centre for Justice Statistics, 1993

Figure 1.10

Rates of spousal homicide by age difference between husbands and wives, co-residing couples, Canada, 1974 to 1992



Source: Homicide Survey, Canadian Centre for Justice Statistics, 1993

Figure 1.11

1.4 Women's Use of Social Service Agencies

According to the Violence Against Women Survey, 43% of women who reported abuse by a marital partner either left for a short while or separated from their partner because of his abusive or threatening behaviour. A number of factors are associated with women's decisions to leave their partners, including reporting to the police, fearing for one's life, and having children witness the violence. Seventy-four percent of women who had reported an incident to the police indicated that they had left their partner, compared to only 32% who never reported to the police (Table 1.18). Women who feared for their lives at some point during the relationship were more likely to have left their partners than those who did not (72% versus 28%). Further, women whose children had witnessed the violence were twice as likely to have left than in cases where the violence had not been witnessed by children (60% versus 28%).³⁰

³⁰ Does not include women who did not have children at the time of the violence.

Table 1.18

Number of ever-married women with violence 18 years and over who left an abusive partner by seriousness of the violence, Canada

Seriousness of violence	Total violent marital partnerships		Woman left		Woman did not leave	
	No. in thousands	Percent	No. in thousands ¹	Percent	No. in thousands ¹	Percent
Reported to the police Not reported	727	100	537	74	129	18
	2,056	100	658	32	1,260	61
Feared for their lives Did not fear for their lives	944	100	683	72	189	20
	1,837	100	514	28	1,195	65
Children witnessed the violence Children did not witness the violence	1,094	100	651	60	372	34
	959	100	269	28	617	64

¹ Numbers do not add to the total because in a small number of cases it was the man who left.

Source: Violence Against Women Survey, Statistics Canada, 1993

Table 1.19

Number of ever-married women 18 years and over who left an abusive partner and who returned home, by reasons for returning, Canada

Reasons for returning	Left an abusive partner	
	No. in thousands	Percent
Total left partner	1,197	43
Total returned	836	70
For the sake of the children	262	31
Wanted to give relationship another try	199	24
Partner promised to change	145	17
Lack of money or housing	76	9
Other ¹	131	16

¹ Includes spouse left, court ordered him away, resolved problems, shame of divorce, wanted to return home, threat from spouse, and pressure from family.

Percentages do not add to 100 because of non-response.

Source: Violence Against Women Survey, Statistics Canada, 1993

The majority of those who left their partner stayed with friends or relatives (77%), followed by transition houses or shelters (13%). A number of women moved into a place of their own (13%), and 5% stayed in a hotel.³¹ Almost three-quarters of the women who left or stayed apart eventually returned home.

The most common reason women returned home was for the sake of the children, followed by wanting to give the relationship another chance, her partner promising to change, and a lack of money or housing (Table 1.19). A total of 16% of abusive men received counselling for their violent behaviour. In 81% of these cases, women returned home; 70% of women whose partner did not receive counselling also returned home.

There are various types of social services available to women who are abused by their partners

³¹ Percentages may not total 100% because of multiple responses if the woman left more than once.

including shelters or transition houses, crisis centres, individual counsellors, women's centres, and community or family centres. According to the Violence Against Women Survey, 24% of women abused by a marital partner used a social service, 8% contacted and 6% stayed at a shelter (representing 200,000 who have contacted and 150,000 women who have stayed at a shelter).³² Of those women who left an abusive partner, 13% stayed in a shelter. The most frequently used social service was an individual counsellor (Table 1.20).³³

The vast majority of women who used social service agencies found them to be helpful. Individual counsellors and shelters were most often considered helpful (83% and 81% respectively), followed by crisis centres (77%), women's centres (73%), and community/family centres (65%).

A woman's decision to contact a social agency for help seemed to be influenced by such factors as whether she was injured, whether she reported the incident to the police, and whether children witnessed any of the violence against her. Women were twice as likely to use a social agency if they were injured than if they were not injured, or if their children witnessed any of the violence (Table 1.21). This survey also found that women who reported to the police were much more likely to have contacted a social service than women who had not contacted the police.

³² Residents of shelters were not interviewed for this survey as these facilities are not considered "households" for the purposes of telephone surveys. These estimates may therefore under-count the total number of women who have used shelters.

³³ The Violence Against Women Survey asked respondents about their experiences of violence and their use of services over a lifetime. Recent increases in the availability of services may have produced an increase in the percentage of women who have used these services in recent years.

Table 1.20

Number of marital partnerships with violence, women 18 years and over, by use of social services, Canada

Type of social service	Marital partnerships	
	No. in thousands	Percent
Total	2,801	100
Total used a social service	683 ¹	24
Contacted a transition home	217	8
Stayed at a transition home ²	156	6
Crisis centre/crisis line	116	4
Women's centre	95	3
Community/family centre	132	5
Another counsellor	410	15
Used none of the above services	2,104	75

¹ Figures will not add to totals because respondents could have used more than one service.

² Only those women who reported having left their partner were asked whether they had ever stayed in a transition home.

Figures in this table have been weighted to the Canadian adult female population.

Source: Violence Against Women Survey, Statistics Canada, 1993

Table 1.21

Number of marital partnerships with violence in which the woman used a social service¹, by the seriousness of the violence, Canada

Seriousness of the violence	Used a social service	
	No. in thousands	Percent
Total	683	24
Woman injured	439	35
Woman not injured	244	16
Children witnessed	410	38
Children did not witness	174	18
Reported to the police	332	46
Not reported to the police	350	17

¹ Includes shelters, crisis centres/lines and counsellors.

Source: Violence Against Women Survey, Statistics Canada, 1993

There may be a number of reasons why women chose not to go to a formal social agency for help. As indicated in Table 1.22, the primary reasons given were that they did not want or need help (40%), that the incident was too minor (25%), that they were unaware of any services (16%), and that there were no services available (14%).

The sources of support on which women relied most heavily were friends and neighbours (44%) and family (45%). One-quarter of women told a doctor about their experience, and fewer went to a religious leader for support (7%). When women were asked what they found most helpful in dealing with the experience, 40% stated that their family and friends were their greatest support.

Table 1.22

Number of abused women who did not use a social service by reasons for their decision, Canada

Reasons for not using a social service	Abused women	
	No. in thousands	Percent
Total who did not use a social service	2,104	75
Did not want or need help	848	40
Incident was too minor	528	25
Did not know of services	343	16
No services available	294	14
Other ¹	383	18

¹ Includes the following reasons: waiting lists; shame/embarrassment; wouldn't be believed; fear of perpetrator/he prevented her; distance; fear of losing financial support; fear of losing children; didn't want relationship to end; got help elsewhere and wanted to keep the incident private.

Source: Violence Against Women Survey, Statistics Canada, 1993

1.4.1 Residential services for abused women

As part of Statistics Canada's efforts to address the need for improved information about services for victims of family violence, a survey of residential services of abused women and their children was developed. Two surveys of transition houses were implemented, including a brief "interim" survey in 1992 with a reference year of fiscal year 1991-92, and a more detailed survey in 1993 with reference year 1992-93.

To develop the Transition Home Survey, Statistics Canada undertook extensive consultations with representatives from federal, provincial and territorial governments, provincial transition home associations and some transition home administrators. The objectives of these consultations were to define the scope of the survey and to develop the content of the questionnaire. As a year-end aggregate survey, it allows for the collection of data on services dispensed during the previous twelve months and provides a one-day snapshot of the characteristics of residents on a specific day. Every effort was made to ensure that all facilities in operation at the time of the survey were included. It is possible, however, that residential facilities which began operation after the

initial set of consultations were not included in the survey. While it is assumed that the number of omissions is minimal, it is impossible to estimate the impact of this possible under-counting.

The 1992/93 survey form was forwarded by mail to 386 facilities for completion. During processing, 17 of these facilities were removed from the frame, including nine that were 'out of scope', four that had been closed, and four that were considered duplicates. Two new facilities were identified, bringing the total frame to 371 facilities. There were 332 facilities (89%) that responded to the 1992/93 survey, up from a 79% response rate for the 1991/92 survey.

Types of shelters

The term "transition home" is used broadly to refer to all shelters or residential facilities for abused women and their children. The following qualified as transition homes for the purposes of this survey:

Transition Home - Short or moderate term (1-8 weeks) secure placement for abused women with or without dependent children.

Second Stage Housing - Long term (3-12 months) secure placement for abused women with or without dependent children.

Family Resource Centre - An Ontario initiative which provides services that are similar to transition homes. (Must at least provide a residential service).

Safe Home Network - Subsidiary, very short term (1-3 days) placement for abused women, with or without dependent children, in private homes.

Satellite - A short term (3-5 days) secure respite for abused women with or without dependent children. These shelters are usually linked to a transition home or another agency for administrative purposes.

Emergency Shelter - Short term respite for a wide population range, not exclusively for abused women. Some may provide accommodation for men as well as for women. This type of facility may have residents not associated with family violence but who are without a home because of some other emergency situation.

Other - All other homes/shelters for victims of family violence not otherwise classified.

It is unknown to what extent a one-day 'snapshot' accurately represents all women who used shelters throughout the year. Questions relating to residents for the March 31, 1993 'snapshot' were completed by the administrative staff of the facilities. Individual clients may not have been consulted in all cases and records of the facility may not have included the required detail. Many replies therefore could be considered 'to the best of your knowledge' type responses of a second

party.

Comparisons between the 1992/93 survey and the 1991/92 survey are restricted to those facilities that reported in both years. The number of facilities which reported data for both years represents 73% (272) of the total survey frame.

When comparing the Transition Home Survey and the Violence Against Women Survey, it is important to note several differences between the two. The Transition Home Survey captured data on women who had gone to shelters because of a range of abuses, including physical and sexual abuse, threats, financial abuse, psychological abuse, and neglect. The Violence Against Women Survey captured detailed information on the use of transition homes for only those women who were either physically or sexually abused by a current or previous spouse or common-law partner. The Transition Home Survey provides a one-day snapshot and counts women admitted more than once during the year as more than one admission. The Violence Against Women Survey did not interview women in shelters as these facilities are not considered "households" for the purposes of telephone surveys.

Canada's facilities for abused women

On March 31, 1993, 371 residential facilities for abused women were counted in the Transition Home Survey, including 288 transition houses, 22 second-stage houses, 11 family resource centres, 13 safe-home networks, 4 satellites and 15 emergency shelters.³⁴ Eighteen of the reporting shelters existed prior to 1975. Between 1975 and 1979, an additional 57 began operation. The largest growth in the reporting group (61% of shelters) came in the 1980's when the issues of family violence and violence against women gained the attention of federal and provincial governments. By 1989, Canada had 280 transition homes for abused women. An additional 52 reporting shelters began operation in the 1990's (Figure 1.12).

In Canada, residential facilities may serve more than one geographic area (urban, suburban, rural/village, and Indian reserve). Almost 60% of the reporting facilities indicated that they served a combination of areas. The remaining facilities targeted specific areas: 60 (18%) were specific to women in urban areas, 8 (2%) to women in suburban areas, 61 (18%) to women in rural/village areas, and 10 (3%)³⁵ indicated Indian reserve areas as their *main* area of service. Over one-half of the residential facilities were concentrated in the provinces of Ontario and Quebec, the two provinces with the largest populations (Table 1.23).

The survey captured the number of residential spaces available in each facility, including the number of beds and cribs. There may have been some variation in the way facilities reported

³⁴ Eighteen facilities were not classified because they could not be contacted during the survey period.

³⁵ A total of 111 (33%) facilities indicated that they served 'reserve' areas.

available beds. Some facilities may have included extra roll-out cots or cribs, while others may have included only their official capacity. The total bed capacity of the reporting facilities ranged from 2 to 80. One-third of the reporting facilities indicated that they had ten or fewer beds, 44% had between eleven and twenty beds, 12% reported twenty-one to thirty beds, while another 10% indicated more than thirty beds. Of the 222 facilities that reported having cribs, 88% had five or fewer. The number of cribs ranged from one to twenty. Thirty-nine percent of facilities reported a typical length of stay as being eleven to twenty days, followed by 27% who reported ten days or less.

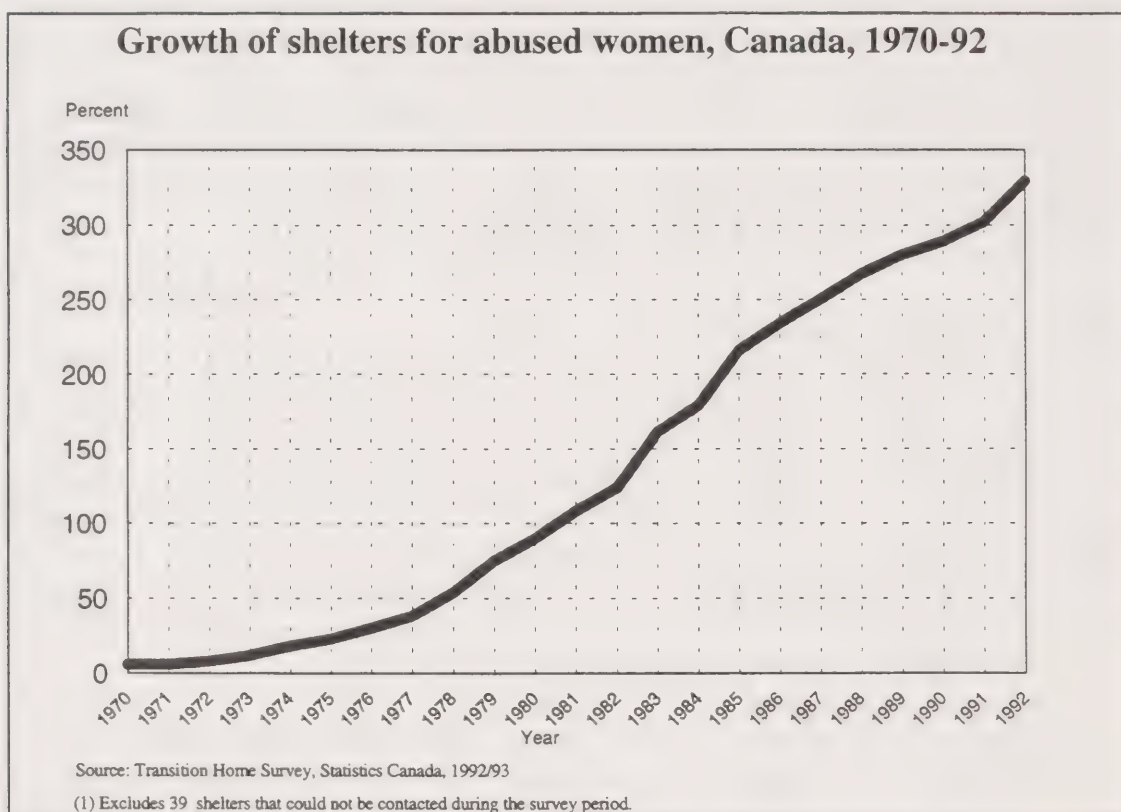


Figure 1.12

Table 1.23
Reporting and operating shelters by province, March 31, 1993

Canada and Provinces	Operating shelters	Reporting shelters	Reporting rate
Canada	371	332	89
Newfoundland	7	7	100
Prince Edward Island	2	2	100
Nova Scotia	14	13	93
New Brunswick	12	12	100
Quebec	97	77	79
Ontario	107	97	91
Manitoba	25	21	84
Saskatchewan	14	14	100
Alberta	26	26	100
British Columbia	56	52	93
Northwest Territories	8	8	100
Yukon	3	3	100

Source: Transition Home Survey, Statistics Canada, 1992/93

On March 31, 1993, the 332 shelters reporting to this survey employed 1,640 full-time and 971 part-time front-line workers. The average range of weekly salary for front-line workers was between \$439 and \$513. Between 1991/92 and 1992/93, there was an 9% increase in the number of staff employed in residential facilities for abused women (an estimate based on the 272 shelters that reported data for both years). Turnover was quite high for both paid staff and volunteers: in fiscal year 1992/1993, 738 paid staff and 704 volunteers left their positions.

Most residential facilities (90%) were governed by volunteer Boards of Directors. In addition, 225 facilities indicated using volunteers. The average number of volunteers per facility was fifteen.

1.4.2. Services provided by shelters

Services provided by shelters³⁶ depend to a great extent on the needs of the clientele, and can vary with the availability of services in the surrounding community. Residential facilities for abused women may provide services both to residents and to non-residents, including women, children and abusive men. Shelters unable to provide a specific service will often refer the woman to another community agency.

The most common types of available 'in-house' services were the provision of general information and crisis counselling reported by 96% of all facilities. Other frequently offered 'in-house' services included public education/prevention, court accompaniment, follow-up, and a crisis telephone line (Table 1.24). On a 'referred out' basis, clients were directed to mental health related services, addiction programs, legal services, and medical services. 'In-house' services for children most often included individual counselling, child care and group counselling care.

A majority of shelters also offer assistance to non-residents by responding to information needs (64%), crisis intervention (77%), and court accompaniment (52%). These services are offered through telephone contact, letters, visits, or walk-ins. The reporting facilities indicated that on March 31, 1993, 577 contacts were made seeking residential services, 2,077 for non-residential services and 447 for other reasons. The number of calls per shelter on that day ranged from zero to 181 and averaged 11 per facility. The total number of contacts to these facilities was 30% higher on March 31, 1993 than the same day the previous year.

Almost one-half of the reporting shelters stated that they accepted women who were not suffering from abuse: over 40% indicated that they were able to accommodate women who suffered from substance abuse and over 40% reported that they could serve women who required medical attention. As well, many facilities can accommodate women with special needs. Almost one-quarter reported that they could accommodate women with either a serious mental health disorder or women with a history of violence. Many facilities indicated that they could accommodate women with disabilities. Figure 1.13 shows the percentage that took measures to provide service to women with disabilities, including access for wheelchairs (44%), use of both official languages (37%), use of other languages (33%), provision of information in pictures (19%), audiotapes and braille material (16%), telephone devices for the deaf (11%) and sign language (11%). The most commonly reported measures taken included the use of external interpreters (60%), followed by use of verbal interpretation (48%). In addition, 40% of the facilities reported that they liaise with groups that represent people with disabilities.

³⁶ For information on services provided specifically by residential facilities funded by Project Haven/Next Step Initiative, please refer to: Canada. *Draft Final Report: Project Haven/Next Step Initiative*. Ottawa: Canadian Housing and Mortgage Corporation, Program Evaluation Division, March 1994.

Table 1.24

Services¹ provided to adult female residents by shelters for abused women

Services	Shelters providing service 'in house'	
	No.	Percent
Total	332	100
Individual short term/ crisis counselling	318	96
Accompaniment to court	296	89
Other accompaniment	287	86
Follow-up	273	82
Crisis telephone line	263	79
Transportation services	256	77
Housing referral	255	77
Group counselling/support	243	73
Parenting skills	235	71
Culturally sensitive services for aboriginal women	147	44
Individual long term counselling	139	42
Culturally sensitive services for visible minorities	136	41
Life skills/job training	96	29
Educational services	81	24
Financial assistance/welfare	57	17
Legal services	53	16
Other	41	12
Telephone device for deaf crisis line	37	11
Family counselling (with partner)	25	8
Medical services	21	6
Addiction programs	21	6
Mental health related services	14	4

¹ Services reported as a percent of the 332 reporting facilities.

Source: Transition Home Survey, Statistics Canada, 1992/93

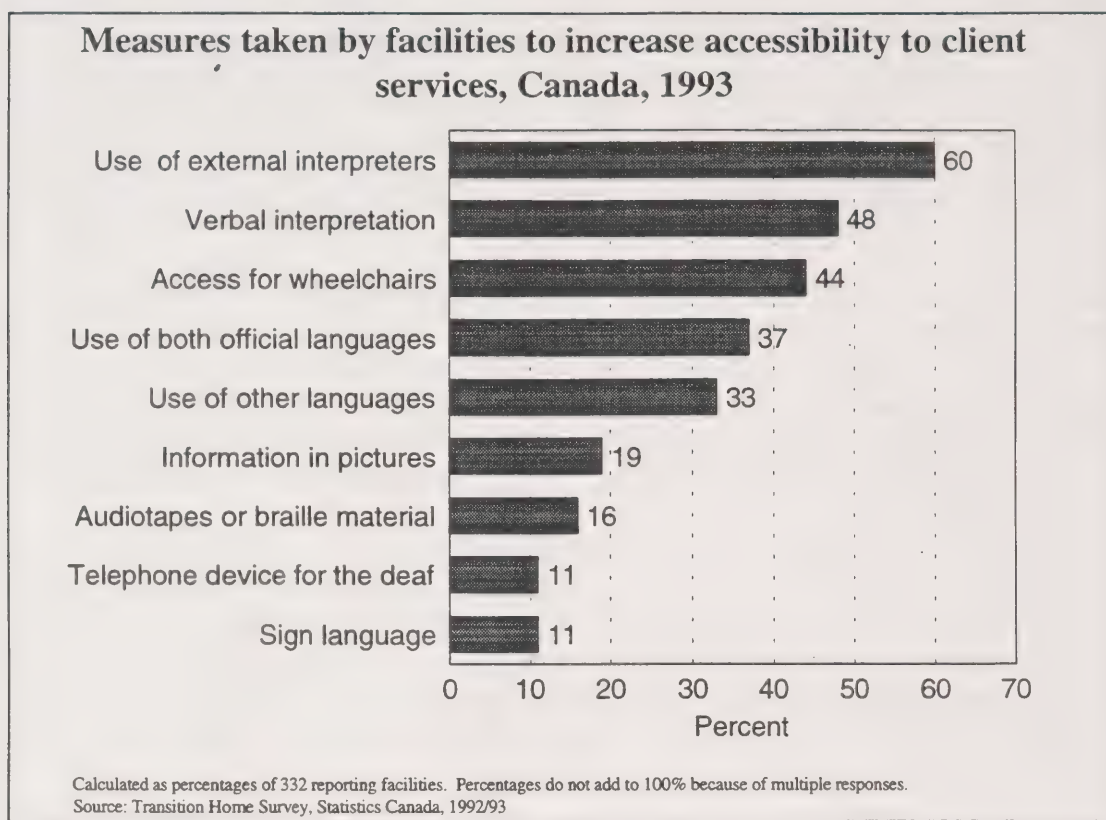


Figure 1.13

Approximately one in five reporting facilities served primarily Aboriginal women, while less than 10% served primarily ethno-cultural and visible minority women. In addition, almost one-half of the facilities offered culturally sensitive services to Aboriginal women, and 41% provided culturally sensitive services to ethno-cultural and visible minority women.

Shelters for abused women are typically well integrated into the communities they serve and often have strong links with other agencies. Frequently, facilities indicated that written or verbal understandings/protocols had been developed with various community agencies. The most commonly reported protocol was with other social services (91%), including housing agencies, food/clothes banks, income-securing services, and child abuse reporting agencies. Over 80% of the reporting facilities indicated that they had in place an understanding or protocol with the police around issues of surveillance, reporting/charging, crisis units, or police escorts. Slightly more than 40% reported protocols with hospitals, emergency rooms or clinics. In addition, 97% liaise with a number of community agencies. For example, 83% of facilities were part of a provincial or territorial transition house association, and almost three-quarters were connected with a family violence agency and a sexual assault agency. Over one-half indicated that they had connections with a treatment program for abusive men. In 1993, the Canadian Centre for Justice

Statistics documented information on 123 programmes across Canada for men who use their partners.³⁷ Finally, about one-half of residential facilities indicated that they were part of a multi-disciplinary, inter-agency wife assault intervention protocol.³⁸

Shelters are intended to provide safe housing to women in abusive situations. Residential facilities use a variety of measures to ensure the safety of the women and children who come to them. The most frequently cited security measures reported to the Transition Home Survey were rules for admitting non-residents, followed by an intercom system, an alarm system, steel doors, an unlisted address/phone number, and security fencing.

1.4.3 Women served by shelters

In fiscal year 1992/93, 86,499 admissions³⁹ (including both women and dependent children) were reported by 303 facilities (Table 1.25). This represents a 2% increase in the number of admissions for those facilities reporting admissions in both the 1991/92 and 1992/93 surveys. Eighty-nine percent of admissions were to transition homes, 5% were admitted to emergency shelters, 3% were admitted to family resource centres, and another 3% went into Second Stage Houses. Safe home networks accommodated 1%, and satellites a further 1% of residents. Three percent of the women living in shelters on March 31, 1993 had some form of disability (including mobility, visual, hearing and other physical disabilities). This percentage is much lower than the estimated percentage of females in the general population with disabilities (15%), and the percentage of abused women with disabilities (17%) according to the Violence Against Women Survey. Two-thirds of the residents preferred to speak English, almost one-quarter preferred French, and 12% had a preference for a language other than English or French.

The largest proportion (64%) of women residing in a transition home were between the age of 25 and 44 (Table 1.26). The smallest group was women over 55 years of age (3%), which is consistent with the Violence Against Women which estimates that women over 55 have the lowest rates of wife assault. The vast majority of abused women residing in shelters on March 31, 1993 were seeking shelter from an intimate (85%). Seventy percent indicated that their spouse/partner was the abuser, 12% of the women were abused by an ex-spouse/partner, and 3% were abused by a current or ex-boyfriend.

³⁷ Canada. *Canada's Treatment Programs for Men Who Abuse Their Partners*. Ottawa: The National Clearinghouse on Family Violence, Health Canada, 1993.

³⁸ Several communities have established committees composed of a number of agencies who deal with family violence cases. Some of these committees have developed and/or implemented a protocol regarding intervention in cases of wife assault.

³⁹ An admission is the official acceptance of a resident into the facility with the allocation of a bed. A woman admitted more than once during the year will be counted as more than one admission.

On one day, March 31, 1993, there were 1,870 women seeking shelter in a residential facility, of which 80% were admitted for reasons of abuse. As indicated in Figure 1.14, seven in ten reported physical abuse, 72% indicated psychological abuse, 44% had received threats, almost one-quarter reported sexual abuse and 28% indicated financial abuse. Twenty percent of women in shelters on March 31, 1993, sought refuge for reasons other than abuse, typically housing problems.

Table 1.25

Admissions of women and children by type of facility, Canada, 1993

Type of facility	Reporting facilities	Total admissions	Women admitted	Children admitted
<hr/>				
Total	303	86,499	45,777	40,527
Transition homes	251	76,874	40,233	36,641
Second stage housing	19	2,229	1,241	988
Family resource centre	11	2,437	1,228	1,209
Safe home network	10	566	309	257
Satellite	2	481	135	151
Emergency shelter	10	3,912	2,631	1,281

Source: Transition Home Survey, Statistics Canada, 1992/93

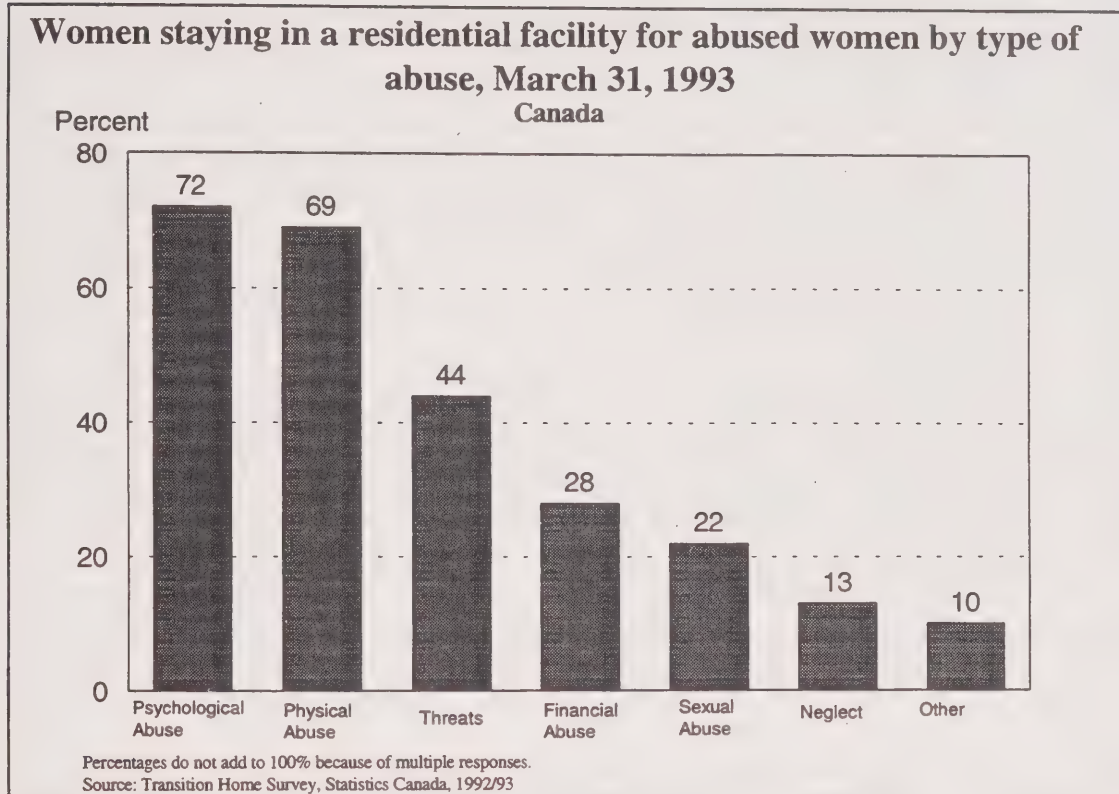


Figure 1.14

Table 1.26

Age of adult female residents by age group and province, Canada, March 31, 1993

Canada and Provinces	Age group								
	Total ¹	15-19	20-24	25-29	30-34	35-44	45-54	55-64	65+
Canada	1,432	100	247	300	328	295	118	31	13
Newfoundland	31	14	3	5	1	6	2	--	--
Prince Edward Island	10	--	4	3	3	--	--	--	--
Nova Scotia	47	6	7	8	9	12	4	1	--
New Brunswick	48	1	9	7	9	12	7	3	--
Quebec	350	13	57	68	74	77	44	14	3
Ontario	538	46	107	132	106	40	6	7	--
Manitoba	53	2	10	12	13	13	3	--	--
Saskatchewan	44	4	11	13	8	4	4	--	--
Alberta	118	7	19	29	29	28	4	1	1
British Columbia	167	7	25	40	46	32	9	6	2
Yukon	7	--	1	2	3	--	1	--	--
Northwest Territories	19	--	7	6	1	5	--	--	--

¹ Represents total female residents admitted due to abuse for whom age was provided

Source: Transition Home Survey, Statistics Canada, 1992/93

-- numbers too small to be expressed

Women who use shelters as a safe haven from abuse are often in desperate situations. According to the Violence Against Women Survey, women's use of shelters was strongly linked to the severity of the violence. Over 80% of women who used shelters reported suffering an injury at some point during the abusive relationship, compared to 45% of all abused women. Of those women who stayed in a transition home, sixty-three percent indicated that *at some point* the violence was severe enough to seek medical attention, compared to 19% of all abused women. The Transition Home Survey showed that, in 26% of the cases on March 31, 1993, medical attention was required for the *most recent incident of abuse*. In a further 27% of cases, it was not known whether the woman had sought medical assistance. The Violence Against Women Survey also showed that women who stayed in a shelter were more than twice as likely as all abused women to have feared for their lives (85% versus 39%), and were more likely to have taken time off from their everyday activities because of the abuse (57% versus 31%).

According to the Violence Against Women Survey, women who stayed in a transition home were more likely than all abused women to have reported a violent incident to the police at some time during the relationship (81% versus 26%). The Transition Home Survey indicates that 30% of women in shelters on March 31, 1993 reported the most recent incident of abuse to the police. In over one-half of these cases, charges were laid by the police. Police reporting was fairly consistent between 1991/92 and 1992/93. There was a five percentage point increase in police reporting and a 6 percentage point increase in police charging over this one year period. Furthermore, restraining orders were obtained in 13% of cases. In 7% of cases the intervention of the child protection services was required, and in only 2% of cases was it indicated that there was intervention by the Adult Protection Services.⁴⁰

Women learned of the availability of these shelters through various means. The most frequently cited referral source was 'self': one-third of the women initiated the contact with the shelter themselves (Figure 1.15). Other shelters or other community agencies accounted for 27% of the referrals, while friends and relatives were indicated in 13% of the cases. Women may have travelled a great distance⁴¹ to get help from a shelter. For 16% of women their principal residence was a great distance from the shelter, while 82% got help within their own community.⁴²

⁴⁰ In Newfoundland and Nova Scotia there exists mandatory reporting requirements in adult protection legislation. Prince Edward Island has a voluntary reporting system.

⁴¹ As a guideline, "distant communities" referred to communities located more than 100 kilometres from the principal residence (approximately a one hour drive).

⁴² In 2% of the cases, the principal residence of the resident was not known.

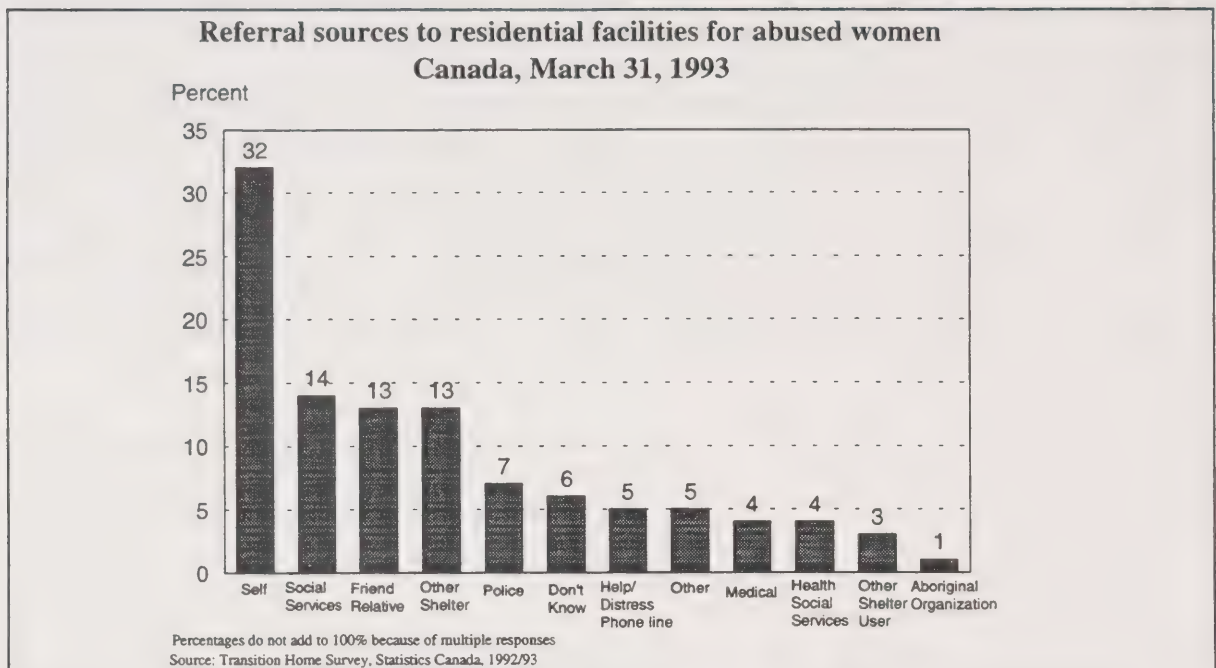


Figure 1.15

1.4.4 Children served by shelters

Children witnessing violence in the home appeared to have been a factor in women's decision to go to a transition home for safety. According to the Violence Against Women Survey, 78% of women who stayed in a transition home indicated that at some point their children had witnessed the violence against them, compared to 39% of all abused women.

Three-quarters of women with children who were seeking refuge from abusive situations on March 31, 1993 were admitted with children, bringing the total number of children admitted because of violence in the home to 1,636.⁴³ Some of these children were also victims of abuse. Almost one-quarter of women were protecting their children from psychological abuse, 13% from physical abuse, and 5% from sexual abuse. An additional 112 (7%) children were admitted to shelters for reasons not related to abuse.

Almost half of all children admitted because of abuse in the home (45%) were under 5 years old (Table 1.27). Children between the ages of 5 and 9 accounted for 32%, those between 10 and 14 made up 20%, while the smallest group (3%) were between 15 and 18 years old.

⁴³ Child welfare agencies may admit children to shelters for their protection without their mothers.

Table 1.27

Age of accompanying children by age group and province, Canada, March 31, 1993

Canada and Provinces	Total ¹ children	Total ² Less than one	Age group				
			1-4	5-9	10-12	13-14	15-18
Canada	1,636	1,498	119	479	215	88	48
Newfoundland	19	19	1	10	5	-	--
Prince Edward Island	5	5	1	1	-	-	--
Nova Scotia	66	56	2	17	5	4	5
New Brunswick	50	50	6	12	11	3	1
Quebec	291	276	26	79	28	23	11
Ontario	635	581	41	198	87	33	12
Manitoba	86	63	4	15	10	5	2
Saskatchewan	66	66	5	24	14	-	2
Alberta	215	185	16	54	27	12	10
British Columbia	167	161	13	56	20	8	4
Yukon	9	9	-	4	3	-	--
Northwest Territories	27	27	4	9	5	-	1

¹ Total children admitted due to abusive situations² Represents the number of children for whom age was provided

Source: Transition Home Survey, Statistics Canada, 1992/93

- nil or zero

1.5 Summary

Although the issue of wife assault emerged during the early 1970's, reliable estimates on the nature and extent of this abuse in Canada have only been recently developed. In the 1970's women began to speak amongst themselves, recognizing that their abuse was not uncommon. The establishment of shelters began in order to provide women with safe havens to which they could escape. Until recently, however, researchers, governments and the general public have had incomplete information about the scope of the problem.

Following many years of lobbying, groups providing services to victims have succeeded in ensuring that governments recognize the issue as a serious social problem. Yet, the efforts of those who advocate on behalf of women in abusive situations were impeded by of the lack of reliable estimates of wife assault in Canada. Together, the national Violence Against Women Survey, the Transition Home Survey and police reported data (the Revised Uniform Crime Reporting Survey and the Homicide Survey) have assisted in providing a more accurate depiction of the situation in Canada. In addition to illustrating the nature and extent of wife assault in Canada, the findings of these surveys can guide policy-makers and front-line workers in developing programs and policies which not only address the immediate issue, but which work toward prevention. Moreover, the findings suggest ways in which the criminal justice, health care, education and social systems can undertake preventive strategies.

Studies show that the extent of wife assault is greater than previously estimated and that children often witness abuse against their mothers. In four in ten violent marriages, children witnessed the violence. Many women arrive at shelters with children who have been exposed to violence; however, not all facilities offer services for children. The risk of offending was three times as high for men who had witnessed violence by their fathers and these men tended to inflict more frequent and severe abuse on their wives. These findings point to the importance of including children in strategies to prevent family violence. Schools, media and social services can all work towards preventing future generations of victims and offenders.

Data from the available sources suggest that police reporting remains low and, as a result, the number of cases that result in criminal charges are few. There is also some indication that continued violence within a relationship increases in both frequency and severity. Often the homicide of a woman by her intimate partner has been preceded by a history of abuse. Early intervention by helping professionals may help to prevent such incidents.

Wife assault is not only dealt with by formal institutions, but by several informal ones as well. Women most often turn to family and friends for support, indicating the importance of general public education on issues surrounding wife assault. Education may assist abused women in seeking help and may provide guidance for others who become aware of abuse situations. We all have a role to play in eradicating wife assault and its impact on future generations. An important role is the need to continue current efforts to improve our ability to measure the nature and extent of family violence thus providing governments and other policy makers with needed information on which to base their efforts.

Chapter 2

Child Abuse

H.C. Kempe, an American pediatrician, "discovered" the battered child syndrome in the early 1960's when he concluded that peculiar injuries were not the result of falls or accidents, but instead were intentionally inflicted.¹ In the late 1970's and early 1980's, researchers found that child sexual abuse was also not only more prevalent than previously thought but that this type of abuse was not being reported. It was found that non-reporting was often due to victims being intimidated, ill-informed or feeling shameful, and because of parents and professionals frequently ignoring disclosures and symptoms of sexual abuse.

Since these discoveries, governments have initiated public inquiries and reports on issues related to child abuse, some of which have resulted in significant legal and administrative reform. One of the earliest attempts to estimate the prevalence of sexual abuse among children was the 1984 *Report of the Committee on Sexual Offences against Children and Youths*² where it was found through a national population survey that one-third of males and more than one-half of females surveyed had been the victims of at least one unwanted sexual act during childhood.

The need for a national statistical database on child abuse has been identified by experts as essential to research in this area.³ Currently, each province and territory has its own system to collect and maintain data on cases of child abuse. However, each system is developed to meet the administrative and case management needs of each jurisdiction. Thus, it is not possible to identify common statistical data elements on child abuse and neglect in these provincial and territorial systems that would permit either comparisons among jurisdictions or the generation of national statistics.⁴ For instance, in Nova Scotia, information is collected and maintained by the Department of Community Services, while in Ontario, this responsibility lies with the provincial Association of Children's Aid Societies. Consequently, there are wide variations across provinces and territories in the types of data collected and the manner in which they are reported. For example, some jurisdictions report allegations while others report only investigated cases. The

¹ Kempe, H.C. "The Battered Child Syndrome" *Journal of the American Medical Association* 17(1962): 181.

² Government of Canada. *Sexual Offences Against Children: Report of the Committee on Sexual Offences against Children and Youths*, Vols. 1 & 2. Ottawa: Ministry of Justice, Attorney General of Canada and Ministry of National Health and Welfare, 1984 [often referred to as the Badgley Report, after the Committee's chairman].

³ Rogers, Rix G. *Reaching for Solutions: The Summary Report of the Special Advisor to the Minister of National Health and Welfare on Child Sexual Abuse in Canada*. Ottawa: Health and Welfare Canada, 1990.

⁴ Canada. *Child Welfare in Canada: The Role of Provincial and Territorial Authorities in Cases of Child Abuse*. Federal-Provincial Working Group on Child and Family Services Information. Ottawa: The National Clearinghouse on Family Violence, Health Canada, 1994.

unit of count also may vary from the number of families to the number of children that come to the attention of authorities. Data may include all activity during the month, snapshot data at month end, or calendar or fiscal year activity. Definitions of abuse also differ among jurisdictions.

As a result of these limitations to child welfare data, the secrecy that surrounds child abuse, and the dependency of children on their abusers, statistical data to describe the nature and extent of child abuse are incomplete. The following profiles what is known about child abuse from surveys of the police, pediatric hospitals, transition homes, and the survey on violence against women.

2.1 Provincial Legislation Governing Child Abuse⁵

Services for abused children in Canada are provided by provincial and territorial governments. Each province and territory has legislation defining a child in need of protection that provides the legal basis for government intervention in these cases. Although definitions vary across the country, each one identifies physical and sexual abuse and neglect as reasons for a child being in need of protection. This legislation recognizes that children have certain basic rights, including the right to be protected from abuse and neglect, and that governments have the responsibility to protect children from harm. The primary responsibility of child and family service authorities in the provinces and territories is to investigate alleged or suspected child abuse or neglect and to provide the appropriate services to ensure the well-being and safety of the child.

Child protection legislation in all jurisdictions except the Yukon requires that persons must report cases of alleged or suspected child abuse or neglect to a child and family services authority. In the Yukon, cases may be reported but it is not mandatory. Failure of an individual to report alleged or suspected abuse or neglect is an offence in eight jurisdictions: Newfoundland, Prince Edward Island, Nova Scotia, Manitoba, Saskatchewan, Alberta, British Columbia and the Northwest Territories. Conviction may result in fine and/or imprisonment. In New Brunswick and Ontario, only the failure of a professional to report is an offence. In Quebec, the failure of a professional to report child abuse or neglect is an offence; moreover, the failure of any person to report suspected physical and sexual abuse of a child is also an offence which may result in a fine.

It is the responsibility of child and family services authorities to investigate reports of alleged or suspected child abuse or neglect. The maximum age up to which authorities must investigate a report and provide services varies among jurisdictions from 16 to 19. Cases of abuse or neglect which may have grounds for criminal investigation are generally referred to the police. If the

⁵ Excerpted from *Child Welfare in Canada: The Role of Provincial and Territorial Authorities in Cases of Child Abuse*, Federal-Provincial Working Group on Child and Family Services Information, 1994. Refer to this publication for detailed information at the provincial/territorial level.

police lay charges, it is the role of the criminal court to prosecute the offender; no decision is made with respect to the child. The role of the judge presiding over the child protection hearing, on the other hand, is to determine if the child is in need of protection and to remove the child from the home if necessary. The judge may also specify that certain services be provided to the child and/or family to address the situation. This hearing does not determine the guilt or innocence of the accused.

*2.2 The Nature of Child Abuse Cases Reported to the Police*⁶

The Uniform Crime Reporting (UCR) Survey, maintained by the Canadian Centre for Justice Statistics, has captured information about all criminal incidents known to the police in Canada since 1961. However, until only recently has the survey been revised in order to begin collecting information about the relationship between the victim and the suspect in violent incidents. An analysis of data from the Revised UCR Survey provides insight into the nature and extent of child abuse cases reported to the police. In 1992, the UCR captured criminal incidents reported to 51 police agencies across Canada. These incidents represent 30% of all reported crimes in Canada. During 1992, 14% of physical assaults reported to those agencies were against children under 18 years of age, of which 22% occurred at the hands of a family member, most often a parent (Table 2.1). A very high proportion (65%) of all sexual assaults reported to the police in 1992 were against children, of which more than one-third occurred within the family. Almost half of family-related cases involved a parent (45%).

Child victims of physical assault were more often female than male (60% versus 40%). Almost four in five accused (78%) were male. The majority of victims of sexual assault were also female (86%), and the vast majority of perpetrators were male (97%). A small proportion of perpetrators of physical assault (5%) against a child were themselves under 18 years of age.

The relationship between the child victim of sexual assault and the accused person differs somewhat for male and female children (Table 2.1). Female victims were twice as likely to be sexually assaulted by a parent as by other immediate family members⁷ or extended family⁸. Boys, on the other hand, were equally at risk of sexual assault by a parent, another immediate family member or an extended family member.

⁶ Child abuse in this context includes *Criminal Code* cases of physical and sexual assault against an individual under 18 years of age.

⁷ According to the Revised Uniform Crime Reporting Survey, other immediate family is defined as the natural brother or sister of the victim or step-, half-, foster-, or adopted brother or sister.

⁸ Extended family includes all others related to the victim either by blood or by marriage e.g., grandparents, aunts, uncles, cousins, sisters/brothers-in-law, parents-in-law, etc. This category includes children that are step-, half-, foster- or adopted and therefore assume the same relationships to the extended family as a 'natural offspring'.

In the case of non-sexual assault, the majority of accused were parents; however, a significant proportion of female victims under 18 years of age (20%) had been assaulted by their spouses, which is consistent with the finding of the Violence Against Women Survey that young women are at particularly high risk of wife assault.

The majority of child victims of physical assault (68%) were teenagers between 12 and 17 years of age and one-third were children under 12 years of age (Table 2.2). An opposite pattern is shown in sexual assault cases in which a slight majority of victims were under 12 (57%).

Sixty-four percent of child victims of physical assault experienced some form of physical injury which was apparent to the attending police officer: 59% suffered minor injury and 5% major injury, and in 8% of cases it was unknown whether there was injury. On the other hand, 62% of children who were sexually assaulted reportedly suffered no apparent physical injuries. Ten percent suffered minor injuries and less than 1% of injuries reported were major and in 36% of cases the injury was unknown. The classification by police of 80% of child sexual assaults as level I offences (no weapon or serious injury involved) is partially explained by the low incidence of physical injury (see Appendix 1). Two percent of child sexual assaults were classified as level II and 1% as level III. With respect to physical assault, 75% were classified as level I offences, 21% as level II and 1% as level III.

Weapons⁹ were used in 28% of physical assaults and 22% of sexual assaults against children. Knives or firearms were used in less than 1% of sexual and 2% of non-sexual assaults, while the remainder involved other objects used as weapons.

The majority of offences of physical assault against children (70%) resulted in a charge laid against a suspect. Eight in ten incidents of child sexual assault were cleared by a charge being laid against the suspect. A significant number of victims (or guardians of victims) chose not to lay charges against the assailant in both physical (16%) and sexual assault cases (11%).

⁹ In the Revised Uniform Crime Reporting Survey, physical force (i.e. hands and feet) may be classified as a weapon. However, for the purposes of this measurement, physical force was excluded from the definition of weapon.

Table 2.1

Percentage distribution of child victims of family-related physical and sexual assault recorded by the police, by gender of victims and relationship of accused persons to victims, 1992

Relationship of accused to victim	Gender of victim		
	Total ¹	Female	Male
	Percent	Percent	Percent
Physical assault	100	100	100²
Parent	63	57	73
Spouse	13	20	2
Other immediate family	19	18	20
Extended family	5	5	6
Sexual assault	100²	100	100
Parent	45	47	34
Spouse	1	2	-
Other immediate family	27	26	31
Extended family	26	25	35

¹ Based on incidents reported by 51 police agencies to the UCR database and which represent 30% of all reported crime in Canada.

² Numbers do not add to 100% because of number rounding.

Source: Revised Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, 1992

- nil or zero

Table 2.2

Age of child victims by type of assault reported to police, 1992

Age of victim	Type of assault					
	Total ¹		Physical		Sexual	
	No.	Percent	No.	Percent	No.	Percent
Total	2,316	100	1,264	100	1,052	100
0 to 11 years	1,005	43	404	32	601	57
12 to 17 years	1,311	57	860	68	451	43

¹ Based on incidents reported by 51 police agencies to the UCR database and which represents 30% of total reported crime in Canada.

Source: Revised Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, 1992

2.3 Homicides Against Children

Between 1981 and 1992, 1,019 victims of homicide (13% of all homicide victims in Canada) were under the age of 18.¹⁰ Children make up the smallest proportion of homicide victims relative to their representation in the Canadian population which averaged 26% over the 12 year period.

An average of 85 children were murdered each year. Over one-half (52%) of all child homicides over this period were committed by a family member and eight in ten family-related child homicides were committed by a parent (Table 2.3).

¹⁰ It is suspected that child killings are under-reported to a greater extent than adult homicides, but the extent to which this is true is impossible to estimate. Some claims of accidental childhood deaths, such as falls or sudden infant deaths could disguise cases of fatal child abuse.

Table 2.3

Gender of child victims of family-related homicide by relationship of accused persons to victims, 1981-1992

Relationship of accused to victim	Gender of victim					
	Total		Female		Male	
	No.	Percent	No.	Percent	No.	Percent
Total	531	100¹	247	100	284	100
Parent	428	81	203	82	225	79
Sibling	30	6	13	5	17	6
Other family	73	14	31	13	42	15

¹ Numbers do not add to 100% because of number rounding.

Source: Homicide Survey, Canadian Centre for Justice Statistics, 1993

During the 12 year period, almost 90% of all homicide incidents committed against children were solved by police through the identification of an accused. In 28% of these cases, the accused, usually a parent, committed suicide immediately following the incident.

Children were killed most often by methods which require the use of hands (beating, suffocation/strangulation) and by guns: over three-quarters of children were killed by either beating, strangulation or gun shot wounds. The primary methods employed by parents were beating and strangulation, suggesting that many child homicides may be a culmination of a long period of physical abuse (Table 2.4).

Children in family-related homicides were much more likely than other homicide victims to be killed in multiple victim incidents (27% compared to 14% of total homicide victims). The fact that a very large number of children are killed by a parent may account for this finding, as all siblings are potentially at risk from a homicidal parent.

Boys are slightly more likely to be killed by a family member than are girls (53% versus 47%). The largest percentage of child homicide victims (48%) were under 3 years of age, a finding that is consistent for victims of both sexes (Table 2.5).

Table 2.4
Method of killing in family-related child homicides, 1981-1992

Method of killing	Number	Percent
Total	531	100
Beating	143	27
Shooting	125	24
Strangulation	124	23
Stabbing	48	9
Other ¹	85	16
Unknown	6	1

¹ Includes drowning, poisoning and other methods.

Source: Homicide Survey, Canadian Centre for Justice Statistics, 1993

Table 2.5
Age and gender of child victims of family-related homicide, 1981-1992

Age of victim	Gender of victim					
	Total		Female		Male	
	No.	Percent	No.	Percent	No.	Percent
Total	531	100	247	100	284	100
0 to 2 years	255	48	114	46	143	50
3 to 5 years	101	19	57	23	45	16
6 to 10 years	80	15	32	13	45	16
11 to 17 years	95	18	44	18	51	18

Source: Homicide Survey, Canadian Centre for Justice Statistics, 1993

2.4 *Intentional Injuries Reported to Pediatric Hospitals*

Between 1991 and 1992, the Canadian Hospitals Injury Reporting and Prevention Program (CHIRPP) at the Laboratory Centre for Disease Control conducted a survey focusing on intentional injuries of children presenting to three pediatric hospitals across Canada. Of these three hospitals included in the survey, no two are located in the same province and each serves a major urban area. The hospitals will be identified here as Hospital A, Hospital B and Hospital C. Data were collected retrospectively from the records of the Child Abuse Unit in each hospital and from hospital charts beginning January, 1991 and extending for up to 24 months. Information is limited to descriptions of episodes of intentional injuries that occurred during the study period.

The records reviewed were those cases in which the hospital child abuse team had been involved and do not represent the total number of abuse cases seen by each hospital, omitting, for example, cases known to admitting doctors. A total of 951 abuse cases were reviewed for this study involving 934 different children; 17 children appeared twice over the period of study. Of the 951 cases, 1048 perpetrators were involved and 570 injuries were recorded. The majority of cases were reported from Hospital C (452) followed by Hospital B (322) and Hospital A (178). An average of 17 cases per month were processed across all three Children's Hospitals.

This study defined "children" as young people under 20 years of age. "Abuse" includes physical abuse, sexual abuse and neglect. However, as indicated in section 2.1 of this chapter, not all provinces or hospitals have the same guidelines for the assessment of whether or not a child is in need of protection. For instance, Ontario's *Child and Family Services Act, 1984* defines abuse as follows:

- Physical abuse:*** physical harm inflicted by a person having charge of the child, or caused by that person's failure to care and provide for, or supervise and protect the child adequately
- Sexual abuse:*** sexual molestation, or sexual exploitation by a person having charge of the child, or by another person where the person having charge of the child knows, or should know of the possibility of molestation or exploitation and fails to protect the child
- Physical neglect:*** the failure to protect the child from physical harm, caused by a failure to care and provide for, or supervise and protect the child adequately

Although guidelines may vary among provinces, the final decision on whether injury was intentionally inflicted was determined by each hospital independently. All hospitals, however, excluded cases of neglect involving failure to seek appropriate medical attention and those involving emotional abuse that did not also involve physical or sexual abuse or neglect as defined above.

Twice as many cases of sexual abuse (61%) as physical abuse (29%) were recorded. Neglect comprised only 3% of the total sample and 7% were multiple forms of child abuse (Table 2.6). The differences among the three hospitals, particularly the greater frequencies of neglect cases and multiple forms of abuse reported by Hospital A, are explained by the differing roles of the child abuse teams. The teams from Hospitals B and C are known for their expertise in sexual and physical abuse and are therefore only consulted when extreme forms of neglect are noted. However, because Hospital A is run through the department of social work, it is made aware of all cases of abuse. Thus, it could be viewed as the "most typical" in terms of the distribution of child abuse by type.

Children presenting to hospital with intentional injuries ranged in age from 19 days to 17 years. Children 1 to 10 years old represented three-quarters of all reported cases (Table 2.7).

Table 2.6

Type of child abuse cases presenting to three pediatric hospitals

Type of abuse	Total		Hospital A		Hospital B		Hospital C	
	No.	%	No.	%	No.	%	No.	%
Total	951	100	178	100	321	100	452	100¹
Sexual abuse	578	61	87	49	215	67	276	61
Physical abuse	278	29	57	32	84	26	137	30
Neglect	27	3	10	6	7	2	10	2
Combined ²	68	7	24	14	15	5	29	6

¹ Numbers do not add to 100% because of number rounding.

² This category includes cases where multiple forms of abuse were identified. Of these cases, 33 were of physical abuse and neglect, 29 of physical and sexual abuse, 5 of sexual abuse and neglect, and 1 of physical and sexual abuse as well as neglect.

Source: Canadian Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

2.4.1 Age and gender of child abuse victims

Among the children in the sample, the greatest number of victims fell between the ages of 3 and 10 years of age (62%). Sexual abuse victims were older on average than victims of physical abuse or neglect: 75% were between 3 and 10 years of age compared to 42% of physical abuse

victims and 25% of children who were neglected (Table 2.8). Victims of neglect were the youngest. The small percentage of 15 to 19-year old victims of all types of abuse may reflect a greater tendency of older teenagers to seek medical attention in a general hospital.

Table 2.7

Age and gender of victims of child abuse presenting to the three pediatric hospitals

Age of children	Total		Gender			
			Female		Male	
	No.	Percent	No.	Percent	No.	Percent
Total	951	100	617	100	334	100
Less than 1 year	63	7	31	5	32	10
1 to 2 years	130	14	76	12	54	16
3 to 5 years	301	32	194	31	107	32
6 to 10 years	290	30	191	31	99	30
11 to 14 years	128	13	91	15	37	11
15 to 17 years	39	4	34	6	5	1

Source: Canadian Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

Type of abuse by age of child abuse victims presenting to three pediatric hospitals

Age of victim	Type of abuse									
	Total		Sexual abuse		Physical abuse		Neglect		Combined	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Total	951	100	578	100 ¹	278	100 ¹	27	100	68	100
Less than 1 year	63	7	3	1	49	18	8	30	3	4
1 to 2 years	130	14	46	8	62	22	8	30	14	21
3 to 5 years	301	32	231	40	51	18	3	10	16	24
6 to 10 years	290	30	201	35	67	24	4	15	18	26
11 to 14 years	128	13	74	13	37	13	4	15	13	19
15 to 17 years	39	4	23	4	12	4	-	-	4	6

¹ Numbers do not add to 100% because of number rounding.

Source: Canadian Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

- nil or zero

Girls were presented almost twice as often as boys in all age groups except infants under one year old, which showed an equal number of female and male victims. Among 15-19 year olds, there were almost seven times as many girls abused as boys.

The distribution of the victims of child abuse according to gender tends to vary by the type of abuse. While boys and girls suffered equally from physical abuse and neglect, girls were far more likely to be abused sexually (Table 2.9).

Table 2.9

Type of abuse by gender of child abuse victims presenting to three pediatric hospitals

Type of abuse	Gender of victim					
	Total		Female		Male	
	No.	Percent	No.	Percent	No.	Percent
Total	951	100	617	65	334	35
Sexual abuse	578	100	436	75	142	25
Physical abuse	278	100	133	48	145	52
Neglect	27	100	14	52	13	48
Combined	68	100	34	50	34	50

Source: Canadian Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

2.4.2 Involvement of authorities

Sixty percent of child abuse cases in this sample were reported to the child welfare authorities (Table 2.10), including over three-quarters of neglect cases, two-thirds of physical abuse cases and just over one-half of sexual abuse cases. Fifty-nine percent of the cases seen at Hospital C were already being dealt with by the child welfare authorities, which explains the hospital's relatively low reporting rate. In addition, many cases seen by Hospital C did not fall under the child welfare act because the child did not reside with the alleged perpetrator and the child was not judged as being in immediate danger. Approximately 60% of cases were confirmed cases of abuse and the remainder were classified as highly suspected cases of abuse (Table 2.11). Cases of physical abuse was more likely to be confirmed than were cases of either neglect or sexual abuse.

The police were known to be involved in 60% of all abuse cases in the sample; however, in virtually all the remaining cases, the response to this question was missing from the record. The police were more likely to be involved in sexual abuse than in physical abuse or neglect cases.

Table 2.10

Reporting to child welfare authorities by hospital presenting to three pediatric hospitals

Reported	Total		Hospital A		Hospital B		Hospital C	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Total	951	100	178	100	321	100	452	100
Yes	570	60	171	96	312	97	87	19
No	381	40	7	4	9	3	365	81

Source: Canada's Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

Table 2.11

Percentage of child abuse cases classified as confirmed and suspected by type of abuse presenting to three pediatric hospitals

Type of abuse	Classification					
	Total		Confirmed		Suspected	
	No.	Percent	No.	Percent	No.	Percent
Total	951	100	583	61	368	39
Sexual abuse	578	100	298	51	280	48
Physical abuse	278	100	218	78	60	22
Neglect	27	100	16	59	11	41
Combined	68	100	51	75	17	25

Source: Canada's Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

2.4.3 Injuries

Outpatient treatment was the most common form of case management (90%); just under 10% required admission to hospital for treatment. Child neglect was the type of abuse most likely to require admission to hospital. Almost one-half of neglect cases (48%), one in five cases of physical abuse, and 1% of cases of sexual abuse were admitted for treatment.

Eight cases of child abuse included in this study resulted in the death of the child. Six of the eight were victims of physical abuse, one died as a direct consequence of neglect and one child was a victim of both physical abuse and neglect. Six of the children were under 18 months of age. The perpetrator was a family member in all but one case.

As indicated in Table 2.12, children who had been physically abused had the highest rates of physical injury (73%). By comparison a very small proportion of sexually abused and neglected children were physically injured (10% and 3%).

The majority of injured children (72%) suffered minor soft tissue damage, while smaller proportions sustained fractures, burns, cuts and bites, and serious hemorrhage. Injuries sustained by sexually abused children were primarily as a result of penetration (59%).

The body part most often injured in physical abuse cases was the victim's head and brain, followed by lower extremities (ie. hips, legs, feet) and trunk/abdomen and upper extremities (shoulders, arms, hands) (Table 2.13).

Injured victims of sexual abuse sustained injuries primarily to the sexual organs (86%). In addition, 11% of physical abuse victims also suffered injuries to sexual organs. The small number of neglected children who were injured sustained head injuries and injuries to extremities.

Table 2.14 illustrates the part of the body injured according to the age of the child victim. In all age groups with the exception of 3 to 5 year olds, injuries to the head and brain were most common. Children aged 3 to 5 years were most likely to sustain injuries to the sexual organs.

Table 2.12

Type of injury by type of child abuse presenting to three pediatric hospitals

Type of injury	Type of abuse									
	Total		Sexual abuse		Physical abuse		Neglect		Combined	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Total injuries	570	100	59	100	419	100¹	19	100¹	73	100
Minor soft tissue damage ²	412	72	24	41	319	76	12	63	57	78
Fractures	52	9	-	-	44	11	1	5	7	10
Burns	33	6	-	-	28	7	1	5	4	5
Cuts/bites	19	3	-	-	16	4	1	5	2	3
Hemorrhage	10	2	-	-	7	2	1	5	2	3
Penetration	36	6	35	59	-	-	-	-	1	1
Other ³	8	1	-	-	5	1	3	16	-	-

¹ Numbers do not add to 100% because of number rounding.² Bruises, abrasions, inflammation/swelling/pain³ Other includes asphyxiation, other wounds, dislocation, dental injury, and trauma not specified.

Up to three injuries may be recorded.

Source: Canada's Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

- nil or zero

Table 2.13

Body part injured by type of child abuse presenting to three pediatric hospitals

Body part injured	Type of abuse									
	Total		Sexual abuse		Physical abuse		Neglect		Combined	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Total	570	100 ¹	59	100	419	100	19	100 ¹	73	100
Head/brain	210	37	1	2	168	40	10	53	31	42
Lower extremities	84	15	3	5	72	17	2	10	7	10
Upper extremities	72	13	-	-	58	14	5	26	9	12
Trunk/abdomen	83	15	4	7	63	15	1	5	15	21
Sexual organs	107	19	51	86	48	11	-	-	8	11
Not specified	14	2	-	-	10	3	1	5	3	4

¹ Numbers do not add to 100% because of number rounding.

Source: Canada's Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

- nil or zero

Table 2.14

Body part injured by age of the child victim presenting to three pediatric hospitals

Body part injured	Age of victim													
	Total	Less than one year		1 to 2 years		3 to 5 years		6 to 10 years		11 to 14 years		15 to 17 years		
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Total	570	100 ¹	94	100	146	100	115	100 ¹	104	100	84	100	27	100 ¹
Head/brain	210	37	46	49	54	37	25	22	40	38	36	43	9	33
Lower extremities	84	15	15	16	26	18	23	20	8	8	9	11	3	11
Upper extremities	72	13	11	12	17	12	10	9	13	12	15	18	6	22
Trunk/abdomen	83	15	17	18	23	16	16	14	10	10	12	14	5	18
Sexual organs	107	19	3	3	22	15	38	33	28	27	12	14	4	15
Not specified	14	2	2	2	4	2	3	3	5	5	-	-	-	-

¹ Numbers do not add to 100% because of number rounding.

Source: Canadian Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

- nil or zero

2.4.4 Perpetrators

In 10% of the sample child abuse cases, two or more perpetrators were involved. Cases of sexual abuse had a higher proportion of multiple abusers (45%) than did physical abuse (23%) or neglect (10%). Of those cases where the age of the perpetrator was known, 63% of perpetrators of child abuse were 22 years of age or older. One-quarter of perpetrators of sexual assault were children or teenagers (Table 2.15).

While children of either sex were equally likely to be abused by a female perpetrator (53% boys and 47% girls), female children were preyed upon by males in 70% of cases. Over 90% of sexual abuse cases and over one-half (54%) of physical abuse cases were committed by male perpetrators; almost 60% of physical neglect cases were committed by females (Table 2.16).

Perpetrators in child abuse cases are typically someone known to the child. In one-half of cases in this sample, the child knew the perpetrator all of his/her lifetime. In 8% of cases, the child had known the perpetrator for less than one year, and in only 3% of cases, the perpetrator was a stranger.

Table 2.17 shows that 67% of child abuse cases were perpetrated by a family member and 22% by someone else known to the child (a friend, caregiver, or other known person). Almost one-half of perpetrators were parents, or the current partner of the parent. The majority of parents (62%) were fathers of the victim. Children suffered sexual abuse most often by a family member; however, at the hands of someone else known to the child, children were most likely to have been victims of sexual abuse (33%) than any other form of abuse.

Table 2.15

Type of abuse by age of perpetrators of child abuse presenting to three pediatric hospitals

Age of perpetrator	Type of abuse									
	Total		Sexual abuse		Physical abuse		Neglect		Combined	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Total	1048	100	622	100 ¹	300	100 ¹	36	100 ¹	90	100 ¹
0 to 11 years	51	5	46	7	4	1	-	-	1	1
12 to 17 years	125	12	115	18	7	2	-	-	3	3
18 to 21 years	36	3	21	3	8	3	4	11	3	3
22 and over	655	63	340	55	220	73	29	80	66	73
Age unknown	181	17	100	16	61	20	3	8	17	19

¹ Numbers do not add to 100% because of number rounding.

Source: Canadian Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

- nil or zero

Table 2.16

Type of abuse by gender of perpetrators in cases of child abuse presenting to three pediatric hospitals

Type of abuse	Gender of perpetrator					
	Total ¹		Female		Male	
	No.	Percent	No.	Percent	No.	Percent
Total¹	1048	100	183	18	787	75
Sexual abuse	622	100	29	5	564	91
Physical abuse	300	100	94	31	162	54
Neglect	36	100	21	58	13	36
Combined	90	100	39	43	48	53

¹ Number do not add to the total because this total includes 78 cases where the gender of the perpetrator was unknown.

Source: Canadian Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

Table 2.17

Type of child abuse by relationship of perpetrator to victim

Relationship of perpetrator to victim	Type of abuse											
	Total		Sexual abuse		Physical abuse		Neglect		Combined			
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Total	1048	100	622	100	300	100	36	100 ¹	90		100	
Family member	699	67	352	57	245	82	33	92	69		77	
Parent	380	36	117	19	181	60	31	86	51		57	
Partner of parent	132	13	73	12	45	15	1	3	13		14	
Other family	187	18	162	26	19	6	1	3	5		6	
Other known to the child	234	22	204	33	15	5	1	3	14		16	
Stranger	32	3	27	4	1	-	-	-	4		4	
Relationship unknown	83	8	39	6	39	13	2	6	3		3	

¹ Numbers do not add to 100% because of rounding.

Source: Canada's Hospitals Injury Reporting and Prevention Program, Laboratory Centre for Disease Control, 1993

- nil or zero

2.4.5 Further considerations

Research into child abuse and neglect has suggested that family structure is an important factor in a child's risk of abuse. Some purported risk factors include single parent families, young parents, alcohol or drug abuse within the home, numerous siblings, poverty, a disabled child or one of poor health or prematurity.¹¹

Thirty-three percent of abused children in this sample were living in single-parent families, a significantly higher proportion than is found in the general population (13%).¹² Young mothers, particularly adolescents, have been identified as high risk for child abuse. However, few abusive mothers identified in this sample (4%) were under the age of 19 years. The largest proportions were between 20 and 30 years of age (45%) and 30 and 40 years of age (40%).

In fifteen percent of cases in this sample, the injured child had a disability or other medical condition.¹³ In comparison, only 7% of children up to 14 years of age in the general population have a disability.¹⁴ Children with disabilities suffered primarily from sexual abuse (54%), followed by physical abuse (30%). Children with disabilities were twice as likely as other children in the sample to experience neglect and less likely to experience sexual or physical abuse.

Children who witness violence by one parent against the other are often considered "children at risk" by child welfare authorities because of the lasting emotional or psychological consequences for the child. Estimates from the Violence Against Women Survey suggest that children have witnessed violence by their fathers against their mothers in 39% of marriages with violence. This amounts to at least one million children in Canada, over half of whom have witnessed acts of violence serious enough to cause their mothers to fear for their lives. The percentage of child abuse cases reported to this sample of pediatric hospitals that also involved spousal violence was relatively low (5%). However, as there was no response to this question in the majority of cases, this estimate likely underestimates the true percentage of cases in which the child witnessed violence against a parent.

¹¹ Crockenberg, S.B. "Predictors and correlates of anger toward and punitive control of toddlers by adolescent mothers." *Child Development* 58 (1987): 964-975; Gelles, Richard J. "The Family and Its Role in the Abuse of Children." *Psychiatric Annals*, 17:4 (1987): 230; and Egeland, B., D. Jacobvitz, and L.A. Sroufe. "Breaking the cycle of abuse." *Child Development* 59 (1988): 1080-1088.

¹² Statistics Canada. *1991 Census - Families: Number, Type and Structure*. Ottawa: Minister of Industry, Science and Technology, 1992.

¹³ The most common disabilities of children in the sample were classified as chronic physical or metabolic conditions (37%), behavioral/psychological problems (29%), mental retardation/developmental delay (19%) and combinations of these (15%).

¹⁴ Statistics Canada. *The Daily*. Oct. 13, 1992; and Statistics Canada. *1991 Census - Age, Sex and Marital Status*. Ottawa: Minister of Industry, Science and Technology, 1992.

2.5 *Summary*

Because of both the secrecy surrounding child abuse and the dependency of children on their abusers, statistics on child abuse reported by official agencies such as police and hospitals undercount the true level of child abuse; however, they provide important information about the nature of these incidents. According to the Revised Uniform Crime Reporting (UCR) Survey and Canada's Hospitals Injury Reporting and Prevention Program (CHIRPP), the percentage of sexual assaults against children reported to the police and to three pediatric hospitals was significantly higher than the percentage of physical assaults. In fact, children represent the majority of sexual assault victims in police recorded data. In both studies, girls are most frequently the victims of sexual assault.

A large number of physical and sexual assaults reported to the police and to three pediatric hospitals involved a family member, most often a parent. While boys ran an equal risk of being sexually assaulted by either a parent or another family member, girls were more likely to be sexually assaulted by a parent. However, it seems that boys were at a higher risk than girls of being physically assaulted by a parent.

The majority of children presenting to a pediatric hospital had sustained injury, suffering largely from minor soft tissue damage. The head was the part of a child's body most often injured, followed by the lower extremities. Within the three pediatric hospitals studied, cases of physical abuse were more likely to be confirmed than cases of sexual abuse. Also, outpatient treatment was the most common form of case management.

The number of cases of neglect brought to the attention of pediatric hospitals was few. Of those children suffering from neglect, the majority were two years of age or under and the perpetrators were more often female than male. Further, this was the type of abuse likely to require hospital admission.

Of children presenting to the pediatric hospitals, the majority had been abused by a male. Girls were more likely to have been victimized by a male while both sexes were equally likely to have been abused by a female.

While police reports indicate that 12 to 17 year olds made up the highest percentage of victims of physical assault, hospitals report children one to 9 years of age as being most at risk. The majority of victims of child sexual abuse dealt with by police were under 12 years of age. Similarly, the greatest proportion of child sexual abuse incidents reported to pediatric hospitals involved children between 3 and 10 years of age.

According to the Homicide Survey, boys and girls were equally at risk of being victims of family-related homicides and these children were most often killed by their parents. In over one-quarter of child homicide incidents, the accused committed suicide.

Chapter 3

Abuse of Seniors

In Canada, quantitative data collection in the area of senior abuse is in its infancy. While child abuse gained prominence on government agendas in the 1960's, and wife assault in the 1970's and 1980's, only recently has abuse of seniors (or elder abuse) gained the attention of the public. According to a recent parliamentary report on senior abuse, "...current demographic socio-cultural and economic trends suggest that abuse of the aged will become a problem of even greater proportions in the near future."¹

Like abused women and children, seniors may be dependent emotionally, physically and financially on those who abuse them, whether the abuser is a spouse, an adult child or a caregiver. Conversely, where the abuser is dependent upon the senior emotionally and financially, it may be difficult for the senior to disclose any incidents of abuse. The prospect of reporting the abuse to authorities may be also humiliating to the senior, particularly if the abuser is a family member. Older seniors may be cut off from possible sources of support which increases their dependency on the abuser. Fear may be a significant factor in the senior's wish to keep the abuse private if he or she has been threatened with institutionalization. Further, seniors who are abused by caregivers in institutions for the aged may be entirely reliant on their abuser for their material needs and for contact with the outside world.

Definitional and conceptual problems have hampered research in this area. There have been debates among researchers, academics and those who provide services to seniors about whether age should be the primary criterion which delineates elder abuse from other types of abuse such as wife assault, and where the age cut-off should be. There are also differences of opinion about the range of behaviours that should be considered "abuse". For example, some include financial exploitation while others do not; the range of behaviours that constitute psychological or emotional abuse varies among researchers. Threats of physical harm may be labelled "verbal abuse", "psychological abuse" or "verbal assault".² There seems to be agreement among the majority of researchers that the term "elder abuse" may reference experiences that extend beyond those covered by the criminal law, and are characterized by repeated and ongoing episodes of victimization by someone with some degree of intimacy with the elderly victim.³

¹ Canada. Report of the Standing Committee on Health and Welfare, Social Affairs, Seniors and Status of Women. *Breaking the Silence on Abuse of Older Canadians: Everyone's Concern*. Ottawa, June 1993.

² Podnieks, Elizabeth. *National Survey on Abuse of the Elderly in Canada*. Toronto: Ryerson Polytechnical Institute, 1990, p.3.

³ Sacco, Vince. *Conceptualizing Elder Abuse: Implications for Research and Theory* (Unpublished), 1991.

3.1 *The Nature and Extent of Abuse Against Seniors*

As a result of the secrecy that surrounds senior abuse, as well as the definitional and conceptual problems that have hampered research, reliable statistical information about the nature and extent of the problem has been slow to emerge. Sample surveys of the general population, from which generalizations can be made about the extent of abuse among elderly Canadians, are especially rare. One form of public polling that has been used to indirectly assess the extent of a problem was used in the 1993 edition of the *Elder Monitor*.⁴ Questions were asked of a random sample of adult respondents concerning their knowledge of abuse against an older person. In response to the question "*Have you personally known anyone over the age of 55 who has been abused by having money controlled or being kept from knowing about his/her money or property?*", 9% of respondents said they did know of such abuse. Six percent said they knew someone who had been abused by "*being hurt physically (for example, by being hit, slapped, or worse)*". When asked if they knew anyone who has been abused by "*being forced, or attempted to be forced, into any sexual activity by threats, being held down or hurt in some way?*", a much smaller proportion (1%) said they did. The highest proportion (10%) said they knew an older person who had been "*yelled at, criticized, or limited from having contact with family or friends*". This type of questioning is problematic, in that the surveyor can never be sure that an abused person has not been counted twice by different respondents, or that every person over the age of 55 has an equal chance of being known by at least one respondent and therefore counted among the "at-risk" population. Nevertheless, these polls have the advantages of being available to respond to immediate needs for assessments of public opinion or perceptions, and have provided useful indications of social problems.

Maltreatment of seniors can take many forms in addition to physical and sexual abuse. Adult children, other family members or caregivers may exploit the elderly person financially, deprive them of food or other material necessities, fail to provide necessary medical care, withhold affection or be otherwise emotionally abusive or verbally aggressive. Some cases of senior abuse may involve a caregiver, family member or partner who becomes frustrated with the victim, while in other cases, senior abuse may be wife assault "grown old". In addition, other cases may involve retaliation by a woman against an abusive husband who has grown frail.

In 1989, a team of researchers from Ryerson Polytechnical Institute conducted the first national survey on abuse of the elderly in Canada.⁵ A representative sample of 2,000 seniors living in private homes were interviewed by telephone about their experiences with the following four types of abuse within the previous twelve months:

1. *physical abuse* - *includes a range of behaviours from being pushed, grabbed or shoved to being assaulted with a knife or gun*

⁴ Study by *Synergistics* that was funded by a number of private industries.

⁵ *Op. Cit.* note 2.

- 2. *neglect -* *failure to meet the elderly person's needs more than twice in the following tasks: meal preparation, housework, shopping, and personal care activities such as dressing and toilet functions*
- 3. *chronic verbal aggression -* *being insulted, sworn at or threatened ten times or more*
- 4. *material abuse -* *any of the following by someone known to the senior: persuaded them to hand over money; tried to cheat or trick them out of money; tried to persuade them to relinquish control over their finances; tried to influence them to change their will; tried to make them give up something of value; and, tried to persuade them to sign over their house*

According to this survey, 4% of the Canadian population 65 years of age and older living in private dwellings experienced at least one of the types of abuse listed above in the twelve months prior to the interview. Given that nearly 2.5 million elderly people live in private dwellings, this suggests that as many as 98,000 seniors suffered one or more forms of abuse or neglect in one year. Almost 20,000 were subjected to more than one type of abuse (Table 3.1). The percentages of women and men in the sample population were 67% and 33% respectively. Because the survey data were not adjusted to account for the over-representation of women in the sample, it is difficult to make any comparisons of victimization based on gender.

In comparison, the 1992/93 Transition Home Survey⁶ reported that on March 31, 1993, thirteen of the women residing in transition homes across Canada were 65 years of age or older. This small number is perhaps reflective of a number of factors. For instance, elderly women may not be aware of the availability of such facilities, or perhaps they feel the facilities are not suited to their needs since they primarily serve women with young children. Further, where an elderly woman is the owner of the home in which the abuse is occurring, she may be reluctant to leave.

⁶ For more information on the Transition Home Survey, refer to Chapter 1 of this publication, page 44.

Table 3.1**Prevalence of types of abuse against seniors living in private dwellings**

Type of abuse	Estimated number	Percentage
All types	98,000	4.0
Material abuse	60,000	2.5
Chronic verbal aggression	34,000	1.4
Physical abuse	12,000	0.5
Neglect	10,000	0.4
Multiple forms of abuse	19,000	0.8

Podnieks, et. al., *National Survey on Abuse of the Elderly in Canada*, 1990.

Financial exploitation, or "material abuse", was the most common type of maltreatment covered by the survey with a prevalence rate of 2.5%. More than one-half of cases of material abuse involved attempts to persuade the senior to hand over money. Abusers in this category were more likely to be friends, acquaintances or distant relatives than sons or daughters (Table 3.2).

Chronic verbal aggression occurred with a prevalence rate of 1.4%. Victims tended to be married and to be victimized by their spouse. Chronic verbal aggression was involved in every case of multiple abuse. In fact, over one-half of seniors who reported verbal abuse also reported other forms of maltreatment.

Physical abuse was reported by 0.5% of seniors sampled. The majority of abusers were the spouses of the victims. A significant number of these involved serious violence: in nearly two-thirds of cases victims had been slapped or hit with an object; in more than one-third, victims had been threatened with a knife or gun.

Table 3.2

Type of abuse against seniors by relationship of abuser to victim

Type of abuse	Relationship				
	Spouse	Son or daughter	Distant relative	Friend or acquaintance	Unknown
	<i>percentage</i>				
Material abuse ¹	2	29	24	40	4
Chronic verbal aggression ¹	64	21	14	-	-
Physical abuse	60	20	-	20	-
Neglect	25	-	-	75	-

¹ Numbers do not add to 100% because of number roundingPodnieks, et. al., *National Survey on Abuse of the Elderly in Canada*, 1990.

- nil or zero

Neglect had a prevalence rate of only 0.4% in the sample population. Withholding assistance with meal preparation, shopping and housework were the most frequently cited types of neglect. Abusers included both family members and non-family caregivers.

3.2 Incidents of Violence Against Seniors Recorded by the Police

While the police may be called to assist in any manner of conflict, only those incidents of abuse involving *Criminal Code* offences such as physical or sexual assault will be recorded in police statistics. The Uniform Crime Reporting (UCR) Survey, maintained by the Canadian Centre for Justice Statistics, has captured information about all criminal incidents known to the police since 1961. However, it has only recently been revised in order to collect information about the relationship between the victim and the suspect in violent incidents. In 1992, the Revised Uniform Crime Reporting Survey collected criminal incidents reported to 51 police agencies. These incidents represent 30% of all reported crime in Canada. According to this survey, almost one-half (42%) of physical assaults committed against people 65 years of age and over and reported to the police in 1992 involved accused persons who were family members of the senior.⁷ Two-thirds of victims (66%) were female. Accused persons were most often male (81%) and the

⁷ Few cases of sexual assault against seniors (13) were reported to the Revised UCR Survey in 1992, two of which involved family members.

child or spouse of the victim (Table 3.3). However, the nature of the relationship differs somewhat depending on the gender of the victimized senior. Almost one-half of male victims were victimized by their children, while in the case of female victims, the largest proportion of accused were spouses followed by children.

Table 3.3

Percentage distribution of family-related incidents of assault against seniors recorded by the police by gender of victim and relationship of accused to victim

Relationship of accused to victim	Gender of victim					
	Total ¹		Female		Male	
	No.	Percent	No.	Percent	No.	Percent
Total	260	100	171	100¹	89	100¹
Spouse	82	32	65	38	17	19
Son or daughter	94	36	54	32	40	45
Parent	29	11	17	11	12	13
Other immediate family	31	12	19	11	12	13
Extended family	24	9	16	9	8	9

¹ Based on incidents reported by 51 police agencies to the UCR database and which represent 30% of total reported crime in Canada.

² Numbers do not add to 100% because of number rounding.

Source: Revised Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, 1992

A relatively high proportion of abused seniors (60%) suffered physical injuries that were apparent to the police officer. Physical force was the method used most commonly by those who were suspected of physical assault against seniors (63%), followed by weapons other than firearms or knives (26%).

Once an accused person was identified, 78% of incidents of abuse of seniors were cleared by the laying of a charge. A significant number of seniors (13%) refused to lay charges against the perpetrator.

3.3 Homicides Against Seniors

Elderly people have a lower risk of homicide than younger segments of the population. Between 1981 and 1992, 7% of all homicide victims were 65 or older compared to approximately 11% of the general population.

At the hands of a family member, seniors were less likely to be victims of lethal (32%) than non-lethal violence (42%). Spouses were the most common suspects in family-related homicides against seniors (41%) and four-fifths of spousal homicide victims were women. A son or daughter of the senior was responsible in over one-third of cases and other family members in about one-fifth of cases (Table 3.4).

Table 3.4

Percentage distribution of family-related homicides against seniors by gender of victim and relationship of accused to victim, 1981-1992

Relationship of accused to victim	Gender of victim					
	Total		Female		Male	
	No.	Percent	No.	Percent	No.	Percent
Total¹	179	100	106	100	73	100
Spouse	74	41	59	56	15	20
Son or daughter	65	36	32	30	33	45
Other family	40	22	15	14	25	34

¹ Based on incidents reported by 51 police agencies and which represent 30% of reported crime in Canada.
Source: Revised Uniform Crime Reporting Survey, Canadian Centre for Justice Statistics, 1992

3.4 Summary

Although quantitative data collection in the area of senior abuse remains limited, research to date indicates that elderly people are being subjected to various forms of abuse, often perpetrated by a spouse. While material and verbal abuse seem to be the most prevalent forms, incidents of physical abuse are often serious, involving slapping and hitting with objects, and resulting in visible injury.

Based on the data available to date, it is difficult to make any conclusions on whether gender is a prominent factor in a senior's risk of abuse. However, the majority of incidents which have come to the attention of the police involved elderly female victims. Further, homicide data reveal that women are also at far greater risk of both lethal and non-lethal violence by a spouse.

Chapter 4

Criminal Justice Processing of Family Violence Cases

The majority of family violence cases have long been excluded from criminal justice processing because of the reluctance of victims or witnesses to report these incidents to the police and an unwillingness on the part of the police to become involved in "family matters". In recent years, increased public attention to family violence issues has been followed by legislative and policy reforms aimed at increasing police involvement through mandatory charging policies in cases of wife assault and mandatory reporting policies in cases of child abuse. Efforts have also been concentrated on increased criminal prosecution of family violence cases and more appropriate sentencing for accused.

Yet, the recording of family violence cases in criminal justice data collection systems, which typically do not record pertinent information such as the relationship between victims and offenders, continues to be problematic. Available statistical data indicate an increase in the overall rate of assault cases dealt with by the police; however, limitations in the data gathered have made it difficult to assess the extent to which this reflects an increase in family violence cases. In future, the Revised Uniform Crime Reporting Survey, maintained by the Canadian Centre for Justice Statistics, will provide the necessary trend data with which to make this assessment. The absence of data with which to evaluate the processing of family violence cases at the court level presents a problem that is not likely to be addressed in the near future. Although four provinces and one territory participate in the Adult Criminal Court Surveys, also maintained by the Canadian Centre for Justice Statistics, information about the relationship between victims and offenders and about the gender of victims is not provided. Cases are recorded by court administrators under *Criminal Code* section, which will be useful in identifying sexual assault and child sexual abuse cases, but will not help in identifying assaults or sexual assaults among family members.

In response to the current lack of comprehensive data with which to assess the processing of family violence cases throughout the criminal justice system, funding was made available through Health Canada to develop a prototype for the province-based Family Violence Statistical Information System. Other experiments, such as the specialized Family Violence Court in Winnipeg, show some promise in improving the capacity of the justice system to respond to these cases.

4.1 The Family Violence Statistical Information System

While criminal justice data on family violence cases, particularly court data, will not likely be available at the national level for some time to come, some jurisdictions have undertaken innovations designed to address the need for this information at the local level. With technical

assistance from the Canadian Centre for Justice Statistics and supplementary funding from Health Canada, the province of New Brunswick has under development a generic data collection system that will be adaptable and for use in other jurisdictions across the country. The Family Violence Statistical Information System (FVSIS) is a microcomputer-based statistical system that is designed to accommodate the unique requirements of individual jurisdictions and to interface with automated as well as manual data collection systems. Although the intention is not to "track" cases throughout the criminal justice system, the FVSIS will provide detailed information about family violence cases dealt with by the police (similar to the revised UCR Survey), the courts, and the correctional system. The objectives are to provide a statistical database that local jurisdictions can use for research, policy and planning purposes, and that will enable the development of criminal justice responses to family violence cases specific to the needs of smaller areas.

4.2 The Winnipeg Family Court: A Case Study¹

The Winnipeg Family Violence Court (FVC) began operation in September, 1990. It is the first of its kind in Canada and handles first appearances, remands, guilty pleas and trials for spousal abuse, child abuse and elder abuse cases. This court represents an innovative experiment in the administration of justice and the response of the criminal justice system to family violence. The goals of the court, stated by the Manitoba Department of Justice, were: (1) to process cases expeditiously aiming for a three-month average processing time from first appearance to disposition; (2) to increase victim/witness information and cooperation and to reduce case attrition, particularly at the prosecutorial level (through a reduction in stays of proceedings); and, (3) to provide more consistent and appropriate sentencing to better protect the victim, to mandate treatment for the offender where suitable, and to increase monitoring of offenders (through probation services), all of which reinforce the policy of zero tolerance for family violence and violence against women in Manitoba.

The creation of the FVC was a direct response to the rising charge rates in family violence cases. It was an attempt to ensure that family violence cases were prosecuted as rigorously as other cases of interpersonal violence. The court also signalled a recognition that violent incidents involving family members were unlike other violent incidents. The victim is often highly bonded to and dependent on the assailant, resulting in a particularly vulnerable and often ambivalent witness. The specialized court was premised on the understanding that a *just* intervention must take these factors into consideration.

The creation of a specialized court permitted the development of particular goals, protocols and procedures which could be implemented with a consistency not possible in general criminal court. The key to consistency has been specialization. With the recruitment of specially trained

¹ This section is excerpted from Ursel, E. Jane. "The Winnipeg Family Violence Court" *Juristat* Vol.14, No.12, Ottawa: Canadian Centre for Justice Statistics, Statistics Canada, 1994.

prosecutors and judges, problems of biased attitudes or lack of awareness on the part of court personnel were significantly reduced. In the first two years of the FVC, six crown attorneys worked full-time and 20 judges sat in the court on a revolving basis. In order to ensure timely hearings, specific courtrooms were designated for family violence cases. Initially, 28 hours of court time were designated per week, but by the end of the first year this had doubled to 52 hours per week, and had doubled again to 105 hours per week by the end of the second year.

In addition, the FVC has two victim support programs, the Women's Advocacy Program and the Child Abuse Victim Witness Program, which provide support and advocacy for women and children who have been victims of violence by their partners, parents or caregivers.

4.2.1 The Court's definitions of family violence

All cases in which the victim is in a relationship of trust, dependency and/or kinship with the accused are designated family violence cases by this court. Cases classified as "spousal abuse" include those in which the victim is between the ages of 18 and 59 and who, during adulthood, experienced abuse by a legal or common-law spouse, ex-spouse or current or former boyfriend/girlfriend. This category is not restricted to heterosexual relations, although the overwhelming majority of cases involve heterosexual couples.

Cases classified as "elder abuse" include those in which the victim is 60 years of age or over and is abused by a spouse, child, caretaker or third party.

Cases classified as "child abuse" include those in which the victim is under the age of 18 at the time of the abuse. This includes adult witnesses who come forward with a complaint of historical abuse, as well as cases of multiple victimization in which at least one victim is a child. For example, a case of violence against both a woman and her child would be counted within the category of child abuse. Children are considered to be in a position of trust and dependency with all adults; therefore, children abused by individuals who are not family are also processed through the FVC.

As shown in Table 4.1, of the 4,080 family violence cases processed through the Winnipeg Family Violence Court in the first two years of operation, the overwhelming majority of cases are spousal abuse cases. This table also indicates that the 40% increase in volume between the first and second year is largely a function of increased charges in spousal abuse cases.

Table 4.1

Winnipeg Family Violence Court cases by type of abuse and year, 1990-91 and 1991-92

Year	Total cases analyzed ¹		Type of case					
			Spousal abuse		Child abuse		Elder abuse	
	No.	percent	No.	percent	No.	percent	No.	percent
Total	4,080	100	3,316	81	702	18	62	2
1990-91	1,699	100	1,302	76	371	22	26	2
1991-92	2,381	100	2,014	84	331	14	36	2

¹ Total cases processed in Family Violence Court was 1,800 in 1990-91 and 2,660 in 1991-92. The number of cases analyzed was the number disposed by March 31, 1993.

4.2.2 Cases that come to the Family Violence Court

The most frequent charge in child abuse cases is sexual assault, while common assault is the most frequent charge in spousal and elder abuse cases (Table 4.2). Child abuse cases bear a resemblance to elder abuse cases on a number of dimensions. First, by virtue of age and dependency, both elder and child abuse victims are especially vulnerable. Secondly, while only 10% of victims were male in spousal abuse cases, victims were male in 19% of elder abuse and 26% of child abuse cases. Child and elder abuse cases also have a high percentage of cases (34% and 26% respectively) involving multiple victims relative to spousal abuse cases (5%). In child abuse cases, one-half of these multiple victim incidents involve the child as a second victim in an attack on the mother. These are usually cases of physical assault. The remainder of multiple child-victim incidents are typically sexual offences against more than one child by one adult accused, usually male (93%).

In cases of elder abuse, the most frequent type of multiple victim incident occurs when the elder is the second victim in an attack on an adult daughter or friend ("third party" relationship). Typically, the primary victim seeks refuge in the home of the older person and during an attack on the primary victim the older person is assaulted as well.

Table 4.2

Characteristics of spousal, child and elder abuse cases, Winnipeg Family Violence Court, 1990-91 and 1991-92 combined

Case characteristics	Spouse	Child	Elder
Number of Cases	3,316	702	62
	<i>Percentage</i>		
Sex of Victim			
Female	90	74	81
Male	10	26	19
Sex of Accused			
Female	7	9	23
Male	93	91	77
Accused Had Prior Record	74	66	68
Cases With Multiple Victims	5	34	26
Most Frequent Charge ¹	Common assault	Sexual assault	Common assault

¹ The most frequent charge is calculated through a frequency count, by type of charge, on the first three charges of a case entering court.

A unique characteristic of elder abuse is the higher proportion of female accused (23%)² compared to child abuse (9%) and spousal abuse cases (7%). Despite some variation in the sex of the victim and the accused by type of abuse, the overwhelming majority of victims are women and the overwhelming majority of accused are men. Thus, while age can modify levels of vulnerability, sex remains the most critical correlate with victimization.

A final observation concerns the frequency of a prior criminal record among the accused. Overall, the prior record rate is high: at least two-thirds of accused persons in all types of abuse

² The very small number of elder abuse cases in relation to spousal and child abuse suggests caution in interpreting this difference.

had a prior record. Among spousal abuse cases, 74% of the accused had a prior record; 58% of these had a prior record for a previous assault on another person, and 34% for a previous assault on their spouse.

The relationship between the victim and the accused is identified in Table 4.3 for spousal abuse cases and in Table 4.4 for child abuse cases. The majority of spousal abuse cases involved couples in an ongoing relationship: 67% of suspects were current common-law or marital partners or boyfriend/girlfriend to the victim. Estranged relations of ex-common-law, ex-spouse and ex-boyfriend/girlfriend accounted for 29% of cases. Among spousal abuse cases, 5% of the victims were pregnant at the time of the assault. This figure is lower than what was revealed in the Violence Against Women Survey, whereby 21% of women abused by a current or previous partner were assaulted during pregnancy.

Table 4.3

Suspect-victim relationship in spousal abuse cases, Winnipeg Family Violence Court, 1990-91 and 1991-92 combined

Suspect-victim relationship	No. of cases	Percentage of cases
<hr/>		
Total	3,316	100
Common-law partner	1,168	35
Spouse	673	20
Boyfriend/girlfriend	408	12
Ex-common-law partner	383	12
Ex-spouse	339	10
Ex-boyfriend/girlfriend	217	7
Other ¹	128	4

¹ Includes third party, homosexual partners and missing information.

Table 4.4

Suspect-victim relationship in child abuse cases, Winnipeg Family Violence Court, 1990-91 and 1991-92 combined

Suspect-victim relationship	No. of cases	% of cases
Total¹	702	100²
Parent	181	25
Stepparent	117	16
Acquaintance/friend	80	11
Uncle	75	11
Caregiver	42	6
Stranger	29	4
Sibling	26	4
Grandparent	19	3
Other	133	19

¹ The high number of cases recorded as 'other' includes the 120 mother - child abuse cases in which the relationship between victim and accused was coded as spouse or common-law partner.

² Numbers do not add to 100% because of number rounding

Incidents of child abuse also occur most frequently in ongoing familial situations in which parents, grandparents and uncles account for 55% of the assaults. Consistent with police reported data, among elder abuse cases, the most common suspect relationship to female victims is marital, whereas adult offspring or a third party are most frequently accused of abuse against elderly males.

In the second year of operation of the FVC, the number of children living in abusive households was recorded. As indicated in chapter 2 of this report, children's continual exposure to violence in the home could be considered a form of victimization. In the second year, there were 331 children who were the direct victims of abuse, and 983 cases of spousal abuse in which 1,882 children were present.

These figures accentuate the destructive effect of family violence on the lives of 2,897 assailants and a total of 4,549 victims (2,667³ primary and 1,882 secondary) for a total of at least 6,946 residents of Winnipeg involved in the FVC in one year. By this estimation, two additional people were directly effected for every one case that came before the FVC in 1991-92.

³ The 2,382 cases involved an additional 286 victims and 16 suspects.

4.2.3 Court processing of family violence cases

As was previously mentioned, three goals were articulated in establishing the FVC: first, expeditious court processing; second, rigorous prosecution; and third, more appropriate sentencing. With regard to the first goal, the identified measure of success was the ability of the court to achieve a three month average processing time from first appearance to disposition. The average processing time was 2.8 months in the first year, and 3.5 months in the second year. There is a substantial difference in processing time by type of case, however. Cases involving spousal abuse were processed most rapidly, while child abuse cases, on average, took much longer. The allocation of increasing court time to family violence cases has made it possible to achieve the goal of expeditious processing despite the substantial increase in volume of cases in the first two years.

The second goal of the court was rigorous prosecution as measured by an increasing proportion of cases that proceeded to sentence or by a reduction in the stay rate⁴. Measuring success of this goal requires comparative information about court processing prior to specialization, as well as consideration of the differential patterns of court processing by type of abuse. As this is a more complex measure, three perspectives on processing will be presented; first, overall processing for all cases disposed of in the two years; secondly, a breakdown of court processing patterns by type of case; and thirdly, a comparison of court processing data prior to specialization with the first and second year data for the FVC.

The most frequent outcome for all cases heard in FVC was a guilty plea (54% of cases) followed by a stay of proceedings⁵ (27% of cases). Twenty percent of all cases proceeded to trial or preliminary hearing and a total of 60% of all cases proceeded to sentence.

The outcomes of child and elder abuse cases were somewhat different from spousal abuse cases. Table 4.5 indicates that spousal abuse cases had a higher attrition rate than child or elder abuse cases, meaning that a higher percentage were stayed or dismissed and dropped out of the court process prior to sentencing. The stay rate for spousal abuse cases was 28% compared to 23% in elder abuse and 22% in child abuse cases. The number of cases dismissed for want of prosecution⁶ was 39% in spousal abuse cases compared to 38% in elder abuse and 17% in child abuse cases. The overall result is that a higher percentage of cases of child and elder abuse proceeded to sentencing than did spousal abuse cases.

⁴ Other, qualitative measures of prosecutorial rigor have been reported in lengthier reports. See Ursel, E. Jane. *Final Report on the First Year of the Family Violence Court*, Submitted to Justice Canada, 1992.

⁵ Stay of proceedings is a prosecutorial decision that the evidence is insufficient to proceed with a prosecution. In spousal abuse cases this is often a result of the victim/witness refusing to testify.

⁶ Dismissed for want of prosecution is a judicial decision that the case must be dismissed because there is insufficient evidence to proceed. In spousal abuse cases this is often a result of the victim/witness failing to appear at the trial or recanting on the stand.

Table 4.5

Court processing of spousal, child and elder abuse cases, Winnipeg Family Violence Court, 1990-91 and 1991-92 combined

Case outcome	Spouse		Child		Elder	
	No.	Percent	No.	Percent	No.	Percent
Number of cases	3,316	100	702	100	62	100
Stay of proceeding	930	28	154	22	14	23
Guilty pleas	1,747	53	393	56	40	65
Trials	639	19	155	22	8	13
Verdict ¹						
Total trials	639	100 ³	155	100	8	100
Guilty	193	30	65	41	4	50
Not guilty	141	22	50	33	1	13
Dismissed ²	251	39	27	17	3	38
Discharged	54	8	13	9	-	-
Proceed to sentence	1,940	59	458	65	44	71

¹ Percentages under verdict represent the percentage of cases that proceeded to trial or preliminary hearing and not percentage of all cases.

² Dismissed for want of prosecution. This outcome is usually the result of the failure of the witness to testify, frequently failing to appear.

³ Numbers do not add to 100% because of number rounding
- nil or zero

A final measure of rigorous prosecution is case attrition over time. Table 4.6 identifies case attrition prior to and following implementation of the Winnipeg FVC (Ursel, 1992).⁷ If lower stay rates and higher rates of cases proceeding to sentencing are used as a measure of rigorous prosecution, Table 4.6 indicates that the FVC has had modest success in this area. Greater success was achieved in the first year of FVC, while the second year data indicated a rising stay rate and, consequently, a declining rate of cases proceeding to sentencing.

Table 4.6

Case attrition prior to and following specialization of the Winnipeg Family Violence Court, 1990-91 and 1991-92

	Prior to specialization ¹	FVC 1990-91	FVC 1991-92
Number of cases	1,625	1,699	2,381
Percentage of cases	100	100	100
	<i>Percentage</i>		
Stay	31	22	31
Dismissed ²	10	7	7
Discharged	-	2	1
Dismissed (not guilty)	6	5	5
Rate of attrition	47	36	43
Proceeded to sentence	53	64	57

¹ A 53% sample of all spousal abuse cases handled in the Winnipeg courts between 1983 and 1986.

² Dismissed for want of prosecution.

- nil or zero

The change in the stay rate in the second year of operation of the FVC is found only in the spousal abuse cases - there is no increase in stays of proceedings in child abuse or elder abuse cases. The difference may be the result of a substantial change in police charging practice in relation to spousal assault. Crown attorneys in the FVC report that as a result of an increasingly

⁷ This dataset consists of a 53% sample of all spousal abuse cases handled in the Winnipeg Courts from 1983 to 1986 including samples of 59% of cases in 1983, 61% in 1984, 61% in 1985 and 35% in 1986. Although not a random sample, the relatively large sample (1,625 cases out of a total of 3,085 court cases) improves the likelihood that these cases are reasonably representative of the spousal abuse cases heard over the four year period.

rigorous charging policy on the part of the police, they must deal with increasing numbers of cases in which the evidence is weak or ambiguous or in which the victim/witness may be reluctant to testify.⁸ It is difficult to interpret stay rates in the face of changing charging practices. In the third year of the FVC (data not presented), the Winnipeg Police Department introduced a new protocol for responding to domestic calls which virtually eliminated police discretion. This may again affect the limited quantitative measures of prosecutorial rigor.

Notwithstanding these limitations, when the proportion of cases proceeding to sentence prior to specialization (53%) is compared to the overall rate of cases proceeding to sentencing in the two years of the FVC (60%), it would appear that the FVC has had an impact on the processing of family violence cases.

4.2.4 Sentencing

Sentencing is the area in which the most dramatic change is evident in family violence case processing. In the first two years of the FVC, there was a clear change in sentencing practices related to specialization. Prior to specialization, the most frequent sentences were conditional discharge, suspended sentence and probation. Incarceration was rarely an outcome in family violence cases: approximately 6% of all cases over a 4 year average, or 11% of cases which proceeded to sentence, resulted in a period of incarceration (Ursel, 1992).

In contrast to general court, the most frequent disposition in the two years of the FVC was probation followed by suspended sentence and incarceration. Table 4.7 identifies these sentencing patterns before and after specialization.

In assessing the impact of sentencing, the conditions attached to a sentence are often as important as the sentence itself. Ninety percent of probation sentences required supervision and 58% were two years or longer in length. A lengthy period of supervised probation ensures a mechanism for the on-going monitoring of the abuser. In addition to supervision, the FVC regularly mandates treatment for the offender. Court mandated treatment was a condition of 53% of all persons sentenced in FVC: attendance at and completion of a batterers treatment group was a condition of one-half of the mandated cases, with alcohol treatment designated in 39%. The cumulative effect of these conditions is that the FVC provided a much more intensive program of monitoring and treatment for offenders than was the case prior to specialization.

A comparison of sentencing patterns by type of abuse indicates that there is little difference in elder and spousal abuse cases in the severity of sentencing in the FVC. However, there is a clear pattern of more severe sentencing in child abuse cases. Furthermore, the severity of the sentence is related to the type of child abuse, with more severe sentences occurring in sexual abuse cases.

⁸ Ursel, Jane E. *Fourth Quarterly Report, Family Violence Court, 1991-1992*, Submitted to the Manitoba Department of Justice.

Considering only those cases which proceeded to sentence, the most frequent disposition in child abuse cases, like adult abuse cases, was probation. However, 26% of child physical abuse cases and 49% of child sexual abuse cases resulted in a jail term, and only 6% of all child abuse cases resulted in conditional discharge.

Table 4.7

Sentencing patterns prior to and following specialization of the Winnipeg Family Violence Court

	Prior to specialization¹		Family Violence Court, 1990-91 and 1991-92	
	No.	Percent	No.	Percent
Total cases	1,625	100	4,080	100
Total proceeding to sentence	813	50	2,443	60
Probation	181	22 ²	1,839	75
Suspended sentence	225	28	698	29
Incarceration	93	11	548	22
Fine	198	24	366	15
Conditional discharge	229	28	298	12

Figures may not add to totals because of multiple dispositions.

¹ A 53% sample of all spousal abuse cases handled in the Winnipeg courts between 1983 and 1986.

² Percentages by type of sentence represent the percentage of cases that proceeded to sentence and not the percentage of all cases.

4.3 Summary

Limitations in data gathering, in particular the inability to identify victim-offender relationships in physical and sexual assault cases, have impeded analysis of the criminal justice system's processing of family violence cases. However, knowledge in this area may be enhanced with the development of the Family Violence Statistical Information System and with the establishment of specialized family courts, such as the Winnipeg Family Violence Court.

Family Violence Statistical Information System can provide detailed information which may assist provinces to not only identify how the criminal justice system processes family violence cases,

but to assess any need for reform and the success of ongoing efforts.

The founding of the Winnipeg Family Violence Court represents an innovative experiment in the administration of justice and documentation derived from it provides important information about processing of family violence cases. The court was developed in direct response to the rising charge rates in family violence cases. Early results indicate that the goals of expeditious processing and more consistent and appropriate sentencing for family violence cases have been achieved in the first two years of operation. More modest success has been achieved for the goal of rigorous prosecution, with the greatest gains in the first year of operation. However, these data must be interpreted in light of the practices and policies of the local police force which has assumed an increasingly rigorous charging policy. In order for the court to remain viable and to continue to achieve its goals, there will need to be continuous coordination among all levels of the criminal justice system. Data collected over the coming years will provide longer term measures of the operational success of this Court.

Appendix 1

Definitions of Physical and Sexual Assault According to the Canadian Criminal Code

ASSAULT

Level I: Common Assault

Level II: Assault Causing Bodily Harm

Every one who carries, uses or threatens to use a weapon/imitation or causes bodily harm to the victim.

Level III: Aggravated Assault

Assault is aggravated when the accused wounds, maims, disfigures or endangers the life of the victim.

SEXUAL ASSAULT

Level I: Common Sexual Assault

Level II: Sexual Assault Causing Bodily Harm

Every one who carries, uses or threatens to use a weapon/imitation, threatens to cause bodily harm to a person other than the victim, causes bodily harm to the victim or is party to the offence.

Level III: Aggravated Sexual Assault

Sexual assault is considered to be aggravated when the accused, during the commission of a sexual assault, wounds, maims, disfigures or endangers the life of the victim.

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